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## ABSTRACT

The study guide for a newspaper course on moral choices in contemporary society provides overviews, definitions, and review questions to accompany the reader and related articles. Designed for independent study, the guide helps students to understand central concepts, relate various readings to a central theme, and pursue additional reading on related subjects. Sixteen sections in the guide are arranged to correspond to the 16 subject areas in the reader. For each area, the guide presents an overview showing the interrelatedness of the readings; open-ended definitions of key concepts encountered in the readings; factual and essay questions to stimulate analytical thinking; and bibliographies for additional research. For example, in the section about the morality of business, key concepts are identified. These are capitalism, socialism, laissez-faire, corporation, consumer interest group, and corporate responsibility. One of the discussion questions challenges students to defend or criticize the contention that dishonesty is built into the American business system because of the nature of free enterprise capitalism. (AV)

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# MORAL CHOICES

IN CONTEMPORARY SOCIETY

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## A STUDY GUIDE FOR COURSES BY NEWSPAPER

by Francis J. Marcolongo, Ph.D.

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## TO THE READER

The materials for this Course by Newspaper consist of a series of sixteen weekly newspaper articles, which may be thought of as "lectures" by a distinguished faculty; a *Reader* or anthology of articles, stories, and plays that supplement the newspaper articles; and this *Study Guide*, which is intended to integrate the themes of the newspaper articles and the articles of the *Reader*. For those students who are pursuing this course largely through independent study, the *Study Guide* serves in some ways as a substitute for class discussions.

The purpose of this study guide is to facilitate the learning process for the participant in this course. It is not meant to be a substitute for one's own critical reading and evaluation of the course materials. The overviews for each chapter intend no more than to provide a connecting thread among the various selections in order to show the interrelatedness of the issues raised. They are not meant to be an analysis of these issues. Similarly, the definitions given of the key concepts are aids to understanding the terminology involved. They should be viewed as open ended, subject to modification, amplification, and change. With regard to both the factual and essay questions, they too are not so much tests of knowledge, but stimulants to personal interest. The bibliographies are suggestions for pursuing further those issues the reader finds of special interest.

Although each student will discover for himself or herself how best to use the course materials, we would suggest the following approach:

1. Read the newspaper article each week; clip it and carefully save it for future study and review.
2. Glance over the Learning Objectives, Overview, and Key Concepts in the corresponding unit of the *Study Guide*. These will call attention to some of the more important points in the newspaper and *Reader* articles and will help to focus your reading.
3. Read the appropriate selections in the *Reader*.
4. Reread the Key Concepts and Overview more thoroughly this time.
5. Proceed to the factual questions, rereading the articles as necessary to answer them.
6. Consider the Discussion Questions. Suggested guidelines to answers are provided with each question, although there is, of course, no single "correct" answer.
7. Turn back to the learning objectives. Have you met these goals?
8. Check the annotated bibliographies for suggestions of further reading on topics of interest.

If I were to suggest a theme for studying the issues presented here it would be "to learn is to search." Learning, as a search for knowledge, is an adventure, a process in which, through the continued exercise of our rationality, we achieve a personal growth. It is not merely an informational process, it is a *formational* one. We become as we learn; we are as we know.

# 1. The Nature of Morality

## Learning Objectives

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### To understand

- the foundations for moral judgments
- the sources of confusion concerning them
- the nature and roots of our current moral crisis
- the approaches for dealing with this crisis

## Overview

---

This unit serves as a general introduction to the wide range of current moral issues this course will cover. Its specific intent is to explain the foundations for moral judgments. It seeks to shed light on those intuitions, feelings, beliefs, and precritical responses, founded in human experience, which are expressed in a culture that in turn establishes standards or norms for human experience. It is from such presuppositions that moral reasoning proceeds.

The opening newspaper article by Philip Rieff points to the significance of culture as a limiting factor for human behavior. According to Rieff, a culture sets bounds to what may be legitimately expressed in behavior by instilling good habits, desires, healthy repugnances, and prohibitions, all of which are reinforced by some common nurturing values, ideals, and goals. When these cultural ideals and restraints are seriously weakened or actually thrown off, a moral crisis results.

It is just such a crisis, characterizing contemporary American society, that Charlotte Saikowski explores in her Reader article. Permissiveness, with the consequent privatizing of morality, has produced a society that has freed itself from many traditional restraints but that finds itself without any clear perception of what it is freed for.

Be that as it may, Saikowski points to another side of the coin. Our very consciousness of, and unease over, our moral condition can be taken as signs of the strength of our moral sense. The "itch to be moral" is a major aspect of American idealism in general.

To undertake a resolution of crisis and moral ambivalence requires some understanding of the process of moral reasoning, both of the essential terms involved and of its inherent limits. A.C. Ewing's essay analyzes these terms—

ends, means, good, ought—and delineates the task of the science of ethics. Most importantly, he underscores what we can reasonably expect from this moral science.

Walter Lippmann emphasizes that moral reasoning is an ongoing process. The moral philosopher who clings to precepts and presuppositions that are inadequate to the demands of the times and who refuses to recognize the importance and meaning of change for a culture is doomed to failure in his role. The vision required to formulate and articulate a morality responsive to the particular needs and problems of a time is as much an exercise of creative imagination—the holding up of an image of what can and ought to be—as it is of philosophic analysis.

One such attempt to formulate a new morality is explained by Joseph Fletcher. Situation ethics, which stresses the primacy of the person over the abstract, general moral principle, turns to the biblical doctrine of love as the ultimate norm of all ethical action. All other ethical maxims are but variable, contingent instruments for clarifying problems. Only love can be and must be the ultimate norm for motive and choice. Its constant goal is the doing and the maximizing of the good.

Elton M. Eenigenburg undertakes to point out the difficulties involved in situation ethics in which the norm of love and its detailed application and expression are not spelled out in specific binding guidelines. Further, when the New Testament speaks of the Christian freedom from the law, it is in the context of the well-informed conscience, that is, the conscience enlightened in and by the law, the application of which is guided by love.

It is this internalization of specific ways to act in situations involving a moral response—this incorporation of



attitudes and beliefs into the personality—that results in what William Raspberry calls much needed “knee-jerk habits of morality and decency.” Questioning everything according to the situation in which one finds oneself is too often apt to leave one at sea on how to act, on how to shape one’s conscience.

Dor, Cuppitt’s article illustrates one result of the sort of moral pragmatism involved in situation ethics: A new authority has replaced the traditional, religious-based one for moral behavior. It is summed up in the substitution of the word “social” for “moral.” With binding ethical maxims and norms gone, public opinion becomes the arbiter for what is “socially” acceptable.

The summary of results of the ethical aptitude test that follows serves as an example of this “de-moralization” of ethical issues. But however one responds to the questions in this test, there is a presupposition that moral considerations should enter in. This raises a fundamental question: “Why should one be moral?”

Bernard Gert addresses this issue and shows that there

can be several answers to this question. The reasons one can give in support of any specific answer do not always prevail, if only because, as Gert sees it, human reason itself is no absolute guide.

Edward Westermarck’s discussion amplifies this point. The moral law seems always to have enjoyed a supreme authority among men. And it is precisely because of this authority attached to it, rather than because of reasoned and reasonable arguments, that the moral law retains its force.

The concluding reading from William Graham Sumner emphasizes the authority of custom in the development of moral norms. Mores or customs, evolving gradually, become the basis for what is considered morally fitting in a specific culture. And because of this, especially when these mores have not been transferred into laws and positive institutions, they are highly resistant to change, even when change might be necessary to meet a present crisis. This is one reason for the difficulties encountered in any attempt to formulate a new morality.

## Key Concepts

**Ethics:** The science that attempts to clarify the meaning of value terms such as good, bad, right, wrong, duty, ought, and so on, and to enunciate general principles for the application of these terms to human behavior, means, ends, ideals, and goals.

The term ethics is also used for those statements of professional standards that are set forth in codes, for example medical ethics, business ethics, and so forth. They are collections of practical directions that give regulations and norms for the professional-client relationship and for relations among members of a profession.

**Morality:** A set of norms or standards for acceptable or fitting behavior that evolves within a culture and embodies the meaning of a group’s communal experience. What is meaningful is judged in terms of how well ways of thinking, believing, judging, and acting enable a society to cope with the on-going process of living in an environment by meeting basic human needs. These needs include the physical, the emotional, the psychological, and the spiritual. And since man aspires to realize the full potential of human nature, what is meaningful for man embraces not only the needs and desires of the present, but also the possibilities envisioned for the future. Thus what is *moral* not only describes what is acceptable at a given time, but also sets norms or prescribes what ought to be striven for and realized. A society’s moral standards

embody both these elements in its code and ethical maxims, its customs and convictions, its aspirations and ideals. But since such a moral order operates within an on-going process characterized by change, which is brought about by many factors, it must be flexible enough and adaptable enough to meet the moral challenges of a particular time. When and if it is not, a moral crisis results.

**Mores:** Fixed customs imbued with an ethical significance. The mores of a group constitute that element of the moral order that has not been explicitly transferred into laws and positive institutions, but that nevertheless provide readily recognized reasons for moral decisions because they are in public view. For this same reason, these highly visible elements of a society’s moral order are readily subject to inspection and judgment of their adequacy or inadequacy for meeting the needs of that society. But there is also a deeper level of the moral order that is responsible for our spontaneous, unreflective moral responses. This level is not so readily available for examination and discussion because its elements are those that have penetrated so deeply into the ways of thinking, believing, judging, and acting of a group that they have become, as it were, its second nature, the unwitting source of its cultural identity. This is a major reason why a culture faced with rapid change that challenges traditional beliefs and values ends up in crisis.

**Permissiveness:** A don't-make-rules approach to the moral evaluation of human behavior. This approach maintains that behavior should be judged ultimately only by its success in achieving self-realization through self-expression. This permissive approach results in the *privatizing* of morals. That is, moral standards should be considered a matter of individual conscience independent of any externally imposed norms. To be sure, a culture helps form that conscience, but only the individual can be the judge of rightness or wrongness with regard to that conscience according to the norms that individual accepts. Permissiveness is used especially to refer to approaches to sexual conduct, but it is by no means limited to this reference.

**Situation Ethics:** A method for arriving at moral decisions that emphasizes the significance of the actual situation or context in making such decisions. The situational variables or concrete circumstances involved in actual problems of conscience are regarded as important for consideration as any general ethical maxims or particular laws and principles. Thus, all such rules, norms, and ideals are contingent: Their validity and force depend upon something else that is ultimate and absolute. And this is *love*. Good and evil are external to things and actions. Love alone is always good and right in itself, independent of the circumstances. By definition, love is a *deing* of the good. Situation ethics, also call the *New Morality*, claims biblical authority for its justification as a valid, universal approach to moral decision.

### Factual Review Questions

1. What is the purpose of guides and norms in a culture?
2. According to Rieff, why is our culture experiencing a moral crisis today?
3. What evidence does Saikowski present to show that a deep moral ambivalence characterizes American society today?
4. Why is permissiveness considered a threat to moral values?
5. What are the two main questions with which ethics is concerned?
6. What is the distinction between good-as-a-means and good-as-an-end?
7. According to Lippmann, what is the trouble with moralists and why?
8. What are the three approaches possible in making moral decisions, according to Fletcher?
9. Why does Eenigenburg claim that the new morality makes the error of making a part to be the whole?
10. Raspberry states that much of the basis of civilized behavior is convention. What does he mean?
11. According to Cuppitt, what new authority has replaced the traditional religious-based one for moral behavior? Why is this shift dangerous?
12. The ethical aptitude test reveals a governing principle for what is considered right. What is it?
13. What three answers does Gert give for the question, "Why should one be moral?"
14. According to Westermarck, in what does the authority of the moral law ultimately reside?
15. What are folkways?

### Essay and Discussion Questions

1. Explain what Rieff means by the statement in his newspaper article that "men have become anti-gods." Why does he see this as a fundamental reason for our culture's moral crisis?

#### Suggested Guidelines

—Reflect upon the role of culture as a limiting factor for

human behavior and upon the description of character as the restrictive shaping of personality.

—Consider the stated and unstated objectives of what is described as the "new liberation."

—Refer to Saikowski's discussion of the moral ambivalence in American society.

2. The tension between the desire for permanence, stability, and security in a culture on the one hand, and the practical need for change to meet the problems of the time on the other hand, historically have been significant factors in cultural crises of the Western world. This tension is a factor today in our moral crisis. Discuss it in terms of the elements that make up a system of morality and the built-in limitations of such a system.

#### Suggested Guidelines

- List the elements that make up a system of morality. Distinguish between those that are visible and more available for discussion and inspection and those that are not.
- Consider the fundamental role of the mores of a culture, the way they provide permanence and stability and the way they are a cause of tension.

—Reflect on the positive aspects of tension for the survival of a culture.

3. Discuss what you consider to be the strengths and weaknesses of situation ethics as an approach to moral decisions.

#### Suggested Guidelines

- Consider the essential aspects of the legalistic and anti-nomian approaches.
- List the differences between these methods and that advocated by situation ethics.
- In contrast with the other two approaches, pick out the aspects of situationism, if any, that you consider more valid and noble for making moral decisions.
- Evaluate Eenigenburg's discussion of the weaknesses and deficiencies of the new morality.

## Suggested Reading

by Philip Rietz

(Those pages that are especially relevant to the magazine article or to other articles in the Reader are indicated in parentheses.)

#### Articles

- Becker, Howard. "Whose Side Are We On?" *Social Problems*, Winter 1967 (pp. 239-247).
- Elliott, Ward. "Guilt and Overguilt: Some Reflections on Moral Stimulus and Paralysis." *Ethics*, July 1968 (pp. 247-249, 253).
- Gewirth, Alan. "The 'Is-Ought' Problem Resolved." *Proceedings of the American Philosophical Association*, November 1967 (pp. 34-37).
- Hotstadter, Alfred. "The Sensuousness of Moral Philosophy." *Ethics*, July 1956 (pp. 284-287).
- Knox, Alison. "The Polemics of Descriptive Meaning." *Review of Metaphysics*, December 1970 (pp. 245-251, 270-275).
- Rietz, Philip. "Toward a Theory of Culture: With Special Reference to the Psychoanalytic Case." In *Imagination and Precision in the Social Sciences*, edited by T.J. Nossiter et al. New York: Humanities Press, 1972 (pp. 98-104).
- Searle, John. "How to Derive 'Ought' from 'Is'." *Philosophical Review*, January 1964 (pp. 43-44, 54-58).
- Singer, Peter. "Moral Experts." *Analysis*, March 1972 (pp. 115-117).
- Wellman, Carl. "Ethical Justification of Cultural Relativity." *Journal of Philosophy*, March 28, 1963 (pp. 169, 178-181).
- Whiteley, C.H. "On Defining 'Moral'." *Analysis*, March 1969 (pp. 141-144).
- Wittgenstein, Ludwig. "A Lecture on Ethics." *Philosophical Review*, January 1965 (pp. 7-13).

#### Books

- Callahan, Daniel. *The Tyranny of Survival*. New York: Macmillan, 1973. A clear, forthright discussion of the ethical problems threatening society. The author stresses the need to develop a social ethic.
- Frankena, William K. *Ethics*. New York: Prentice Hall, 1973. A clearly written exposition and analysis of ethical theories and of such ethical terms as good, means, ends, and so on.
- Hare, R.M. *The Language of Morals*. Oxford: Clarendon Press, 1952 (pp. 145-150). A discussion of how changes in the descriptive meaning of words bring about changes in conduct.
- Moore, G.E. *Principia Ethica*. Cambridge: Cambridge University Press, 1922 (pp. 188-189, 207-213). The author argues that the highest moral goods are "the pleasures of human intercourse and the enjoyment of beautiful objects."
- Tai Shang/Kan-Ying Pen* [Treatise of the Exalted One on Response and Retribution]. Edited by Paul Carus. Translated by Teitaro and Paul Carus. Chicago: Open Court, 1906 (pp. 51, 54-60). A Chinese work that sets forth the moral prohibitions against certain forms of conduct.

## 2. The Dilemmas of Sex

### Learning Objectives

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#### To understand

the meaning and implications of human sexuality in the context of sexual relationships  
the background and implications of the modern sexual revolution  
the different approaches to formulating norms of sexual expression

### Overview

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Walter Lippmann once noted that in the popular mind, when morals are discussed, it is assumed that sexual morals are meant. The reason for this is not only that erotic attraction and interaction are subjects of perennial fascination, but also that the whole question of human sexuality is central to our understanding of, and success in, our interpersonal relationships.

This unit seeks to clarify and illustrate the meaning and implications of human sexuality and its expression in various forms of sexual intimacy. It seeks to provide insights on which to base our judgments of the morality of different kinds of sexual relationships.

The newspaper article by Jean Lipman-Blumen sets out the main theme by discussing the meaning of sexual intimacy and the responsibility that is consequent upon it. Sexual intimacy involves exposing one's most inner self to another person, thus leaving oneself open to exploitation and depersonalization. Furthermore, this exposure is in an area of personal development where maturity ordinarily involves a long, gradual process, complicated by ongoing biological, psychological, and emotional changes. How responsible, that is, how answerable to ourselves and to others we are and choose to be at any stage of this process indicates the degree of maturity attained. And this is not simply a matter of chronological age.

The first two essays in the Reader are by Sigmund Freud and D. H. Lawrence, the two men considered most responsible for ideas and theories that have ushered in twentieth-century changes in our sexual mores. The selection from Freud deals with some personal and social dimensions of human sexuality. The accent is upon *restraint* in its positive aspect of *sublimation* and its negative aspect of *repression*. Sublimation means giving expression to sexual energy in other positive, socially acceptable forms. It is the major factor in producing cultural contri-

butions to society, according to Freud. But when restraint takes on the form of repression or the direct denial of an outlet to, or satisfaction of, such urges, the result can be various types of personality disorders or, at the least, a nonproductive expenditure of energy.

Lawrence regretted this sort of attempt to explain human sexuality through mechanical concepts, in terms of forces. He argued that the meaning of sex can be grasped only through *intuition*, that is, through a spontaneous, instinctive recognition, possible to the mind that is attuned to beauty. For sex is inseparable from beauty. Neither sex nor beauty can be analyzed or grasped through the reasoning process. We either see this or we do not. Lawrence uses the metaphor of fire in speaking of sex and beauty, for, like fire, they radiate warmth.

Jessie Bernard's discussion deals with the changes brought about by the various stages of the sexual revolution. When sex or intimacy went beyond its purely reproductive function, cultural restraints to its expression were instituted. When this tendency to separate sex from procreation resulted in the relatively modern rediscovery of female sexuality, abetted by the new contraceptive technology a major sexual revolution occurred. While, in general, it did not have the effect of breaking down the norms regarding procreative sex, it has forced a reevaluation of our attitudes toward marital, premarital, and extramarital sexual relations. Above all, it brought to the fore the notion of *responsibility* as the significant ethical norm.

The papal declaration that follows is a reaffirmation of the traditional Roman Catholic position regarding human sexuality. It maintains that there exists an essential, unchanging aspect to human nature, which we can know by means of human reason and Divine revelation. This position maintains that there are immutable norms, expressions of a natural law, that is, the "imprint" of the

Divine law on human reason. True freedom is the right to do what we ought to do because of what we are by nature. It is this natural law, illumined by Divine revelation, that teaches us that human sexuality, expressed in sexual acts, attains its true and therefore moral ends only within the framework of marriage.

In marked contrast to this is the position stated in the new bill of sexual rights and responsibilities. It affirms the personal right of sexual expression, guided only by a positive sense of caring for others, as a means of enhancing an individual's self-fulfillment. Sexual morality itself should never be viewed apart from the context of general social values that have as their goal the actualization and realization of our human potential. The rightness or wrongness of any form of sexual expression should be judged in terms of whether such expression frustrates or enhances human fulfillment as understood at a particular time and within particular social values.

The article that follows deals with a particular type of sexual expression for which a new freedom is being recognized—homosexuality. Mark Freedman sets out to debunk some popular myths surrounding homosexuals. He does this by showing how the very sense of being considered "different" allows for greater positive creative expression and development of personality. Further, an open acceptance of the male and female elements in all of us makes for a healthful breaking down of stereotyped sex roles and clears the way for more honest and open relationships between the sexes as well as between members of the same sex.

We are all familiar with the statement that no one person can satisfy all the needs of another. Many married couples live more or less contentedly with this human limitation. Those who cannot or will not engage in various sorts of extramarital intimacy—one form of which is the affair. O. Spurgeon English discusses the positive aspects of extramarital sexual intimacy, a practice becoming increasingly more common.

The dangers and limitations that English briefly mentions are spelled out in the story of Lydia Marks and her futile attempts at being pragmatic about sex. As the author, Linda Wolfe, sums it up, extramarital sex is seldom about sex only; it is also and primarily about intimacy on all its levels.

The unit closes with Derek Wright's summation of the tyrannies we can fall prey to in the name of the new liberation. The proliferation in recent years of gourmet guides to sexual satisfaction and the emergence of sex researchers from the laboratories into the popular media have been mixed blessings. While making sex a more open, respectable topic of discussion, this new openness has produced anxieties about sexual performance. We now feel we need to measure up to some standard, in most cases imaginary; otherwise we become dissatisfied and begin to worry about our inadequacies. The result is a guilt, not about sex but about performance. Sex itself is viewed in separation from human sexuality—that complex of biological, emotional, psychological, and spiritual elements that is at the core of a satisfying intimacy.

## Key Concepts

**Responsibility:** A state or quality of being answerable to oneself and to others for the moral dimensions and implications of one's behavior. It involves an awareness that the self is defined and realized, not in autonomous isolation but in contact with other individuals in interpersonal relations. Because man is a social and moral being, responsibility is an integral part of the human condition.

**Maturity:** A specific way of being and doing that develops as an ongoing psychological process and that is expressed by acting responsibly and taking responsibility for one's actions. Maturity is not necessarily contingent upon chronological age.

**Sexuality:** A complex of biological, psychological, and emotional processes, centering around the genital-sexual urges and sex-role patterns, and expressed in interpersonal relations through various modes of physical, psychological, and emotional intimacies.

**Human nature:** An expression designating that complex of attributes and potentials, both physical and mental, that are recognized as specifically characteristic of the human species. Of importance to this discussion are the two basic approaches to understanding the nature of human nature, namely, the classical essentialist approach and the modern evolutionary one.

The essentialist approach, exemplified in the papal declaration, believes that there is an essence or ultimate given source, revealing a definite structure to human existence and imposing limits upon human possibilities. This essence, when properly analyzed and understood, dictates the ends man ought to seek in order to realize the full potential of human nature. On the basis of this understanding, principles and mores can be formulated as guides for human behavior. An essentialist viewpoint does not necessarily exclude a growth in knowledge about human nature. The important aspect is that what

is truly known serves as a fixed and stable point of departure and reference for man's attempt at self-understanding and for finding meaning in the world.

The evolutionary outlook, embodied in *The Humanist* document, regards man as a continually self-defining being. That is to say, man creates his own possibilities and meanings within a continually evolving, physical-cultural environment. We can understand man's nature only within the expanding and sometimes revolutionary gains in knowledge by the social, physical, and biological sciences. New technologies (for example, genetic engineering) enable us to control what we may yet become. The only determination to which man is subject is self-determination. There are, of course, limits, but these are not absolute

givens beyond which we cannot go. What is specific to humans as a species is precisely this openness to new possibilities, brought about, in part, by man's own imagination and creativity.

**Restraint:** A form of control exercised in either a positive or a negative way. Its positive aspect is *sublimation*, the rechanneling or redirecting of biological-psychological drives, urges, or feelings into socially constructive behavior. The negative aspect of restraint is *repression*, the process by which such drives are denied direct expression and are not redirected but are submerged and left to operate in the *unconscious*. The unconscious is that area of our mental existence that is the source and repository of those reasons for behavior of which we are unaware.

### Factual Review Questions

1. What does Lipman-Blumen consider the basic moral issue in sexual relationships?
2. What are some of the social and technological changes that have made intimacy more possible?
3. In what ways does human vulnerability create responsibility?
4. What does Freud mean by "restraint," and what are some of its positive and negative effects?
5. Why does Lawrence claim that sex and beauty are one thing?
6. List the four sexual revolutions Bernard discusses.
7. What does she mean by the expression the "resexualization of women," and what are some of the implications of this for male-female relationships?
8. Why, according to the papal declaration, must absolute norms of sexual behavior be recognized and accepted?
9. What is the Roman Catholic doctrine regarding the morality of sexual relations as stated here?
10. What is the fundamental tenet of *The Humanist's* new bill of sexual rights and responsibilities?
11. What conception of human nature is presupposed in the new bill of sexual rights?
12. List some of the popular myths surrounding homosexuals that Freedman seeks to dispel.
13. What are some of the positive values of an extra-marital affair, according to English?
14. What are some of the negative aspects of an affair, as discussed by Wolfe?
15. What, according to Wright, are some of the tyrannies spawned by the new sexual "liberation"?

### Essay and Discussion Questions

1. Lipman-Blumen maintains that the basic moral issue in sexual relationships is the "tension between responsibility and intimacy." Explain what is meant by this statement and discuss how the changes brought about by the modern sexual revolution have been responsible for making this a central issue.

#### Suggested Guidelines

—Formulate definitions of responsibility and intimacy.

—Reflect on the goals of human sexuality and what stands in the way of their realization.

—Consider the changes discussed in the newspaper article and in the Reader selection from Bernard. Select those changes you consider central to the problem of responsibility and intimacy.

—Examine some possible motives for entering a sexual relationship. Distinguish those you consider valid from those you do not.



**2. Compare and contrast the different views of human sexuality, its meaning and purpose as presented in the papal declaration and in THE HUMANIST'S new bill of sexual rights and responsibilities.**

#### **Suggested Guidelines**

- Compare the different views on the nature of human nature each position takes.
- Contrast the different approach to ethical norms that each view implies.
- Try to find points in which each view seems to agree about the means and ends for human sexuality.

**3. Write an essay giving your answer to the question "Why should one be moral in sexual relationships?" and explain what would constitute "moral" sexual behavior, in your view.**

#### **Suggested Guidelines**

- Review the reasons Gert gives in Unit 1 on why we should be moral.
- Consider the definitions of sexual morality explicit or implicit in Lipman-Blumen's article, in *The Humanist's* new bill, in the papal declaration, in Freedman's article, and in Wright's.
- Formulate your own definition of sexual morality.
- Reflect upon the reasons behind the various definitions. Do they stand by themselves or depend on some other presupposition?
- Review Ewing's discussion of ethical reasoning in Unit 1.

### **Suggested Reading**

- Bell, Robert R. *Premarital Sex in a Changing Society*. Englewood Cliffs, N.J.: Prentice-Hall, 1960. A sociological analysis of premarital sexual values and behavior in contemporary society. There is also a chapter titled "Marital, Extramarital, and Postmarital Sex."
- Brøgger, Suzanne. *Deliver Us from Love*. New York: Delacorte Press, 1970. A provocative discussion of sex, love, erotic fantasy, sex roles, and the marriage relationship by a Danish radical feminist. While serious in its intent, it is wittily written, with ideas illustrated by the author's own personal experience.
- Lipman-Blumen, Jean. "Changing Sex Roles in American Culture: Future Directions for Research." *Archives of Sexual Behavior* Vol. 4, No. 4, 1975, pp. 422-460.
- Masters, William H. and Virginia E. Johnson, in association with Robert J. Levin. *The Passion Bond: A New Look at Sexuality and Commitment*. Boston: Little, Brown, 1970. A group of essays and informal symposia on such subjects as the double standard, extramarital sex, swinging, fidelity, and commitment.
- May Rollo. *Love and Will*. New York: Norton, 1969. A probing study by a noted psychotherapist of what he considers the heart of our modern dilemma: the failure to understand the real meaning of love and will and their interaction. May applies the valuable insights gained by psychological understanding to the questions and problems of ethical decisions.
- Neubeck, Gerhard, ed. *Extramarital Relations*. Englewood Cliffs, N.J.: Prentice-Hall, 1969. Authors from a variety of disciplines present research studies, theories, and case histories about extramarital relations in the United States and in other countries.
- Socarides, Charles W. *Beyond Sexual Freedom*. New York: Quadrangle, 1975. A psychoanalyst comments on current sexual practices, including group sex and homosexuality, and warns that we are on a perilous course in which failure to exercise any control over our impulses will lead to personal and social unhappiness.

Wiseman, Jacqueline P., ed. *The Social Psychology of Sex*. New York: Harper & Row, 1976. A collection of essays by well-known writers and researchers on the subject of sex as a personal and social phenomenon. It is extremely readable, emphasizing studies of actual social behavior in the sexual realm. It covers a full spectrum of sexual attitudes, behaviors, and relationships.

### **Additional Suggestions**

Recommended by Philip Rieff

#### **Articles and Poems**

- Nagel, Thomas. "Sexual Perversion." *Journal of Philosophy*, January 16, 1969 (pp. 10-12).
- Rieff, Philip. "Eros Revisited." *Kenyon Review*, Fall 1954 (pp. 646-648).
- Shakespeare, William. "Sonnet 129."
- Solomon, Robert C. "Sexual Paradigms." *Journal of Philosophy*, June 13, 1974 (pp. 336, 341-343).

#### **Books**

- Carpenter, Edward. *Love's Coming of Age*. New York: Vanguard, 1927 (pp. 167-169). In the selected passage, the author likens sex education to a fairy tale with ideal and romantic qualities.
- Coomaraswamy, Ananda. *Buddha and the Gospel of Buddhism*. New York: Putnam, 1916 (pp. 160-166). The author presents Buddha's counsel on how to avoid women and remain pure.
- Ellis, Havelock. *Studies in the Psychology of Sex*. Vol. 6. Philadelphia: F.A. Davis, 1925 (pp. 373-374, 417). An argument that a new morality must be founded specifically on the "natural facts" of sexual life.

Makarenko, A.S. *The Collective Family*. Translated by Robert Daglish. New York: Anchor Books, 1967 (pp. 265-269). First published in 1937 as *A Book for Parents*, this volume is a practical guide to bringing up children in the Soviet Union. The section indicated deals with moral discipline as a foundation for a rich sexual life.

Malinowski, Bronislaw. *The Sexual Life of Savages*. New York: Halcyon Press, 1929 (pp. 453-458). The noted anthropologist discusses the moral limits of sexual activity among the Trobriand Islanders, for whom sexual intercourse per se is not proscribed.

Michels, Robert. *Sexual Ethics*. Translated by Eden and Cedar Paul. New York: Scribner's, 1914 (pp. 20-23). The author argues that sexual education should not mislead children but should not disabuse them of their fantasies unless they seek specific knowledge.

Money, John, and Patricia Tucker. *Sexual Signatures*. Boston: Little, Brown, 1975 (pp. 131-133, 165-167). The authors maintain that sex education should include graphic films for teenagers.

Reich, Wilhelm. *The Sexual Revolution*. Translated by Theodore P. Wolfe. New York: Noonday, 1969 (pp. 22-28). The author argues that unfulfilled biologically grounded sexual needs lead to antisocial impulses.

Sorokin, Pitirim. *The American Sex Revolution*. Boston: Porter Sargent, 1956 (pp. 88-91). An assertion that sexual permissiveness in our society undermines moral and social authority.

Unwin, J.C. *Sex and Culture*. London: Oxford University Press, 1934 (pp. 379-382). Using anthropological and historical material, the author discusses the social and cultural benefits of strict monogamy.



### 3. The Family and Morality

#### Learning Objectives

##### To understand

the traditional concepts of marriage and family as institutions in historical perspective  
the impact of the industrial revolution, the industrial society, and the technological and sexual revolutions on these concepts  
the ways in which the current challenges and problems might be met  
some alternatives to the traditional concepts

#### Overview

In Western society, the development and expression of human sexuality finds its prime setting in the family. But more than that, the family is recognized as the basic unit and chief agency of cultural transmission and socialization. Therefore, whatever affects the family, positively or negatively, has far-reaching implications for our society. This unit deals with those tensions and pressures, brought about by technological and social changes, that are affecting the family today.

The newspaper article by Christopher Lasch makes the point that government and industry have combined to take over the socialization process that once was the responsibility of the family. The family has lost its role as the primary culture-transmitting institution because it has been bought out. One very disturbing effect of this, according to Lasch, has been that a moral pragmatism, the sole goal of which is getting along in society through conformity and accommodation to the situation as it is, has replaced values and ideals that promoted self-sufficiency, individuality, and moral character.

Lasch expands this theme in his article in the Reader. He makes the point that formerly the family was that agency that embedded a culture in personality so that the individual spontaneously or unwittingly did what he ought to do according to the norms of the society. Today, the central position of the family has been weakened. The government has assumed the role of "great provider" and in return demands a conformity to its forms and goals. Modern industry has similarly reduced the status of the family to that of consumer for its products. The result is that the modern family now produces a personality ori-

ented toward gratification rather than one oriented to social and moral achievement.

The next selection treats marriage and family from an entirely different perspective. E.O. James discusses the sacramentalized character of these institutions. This is considered the great Christian contribution, and it means that these natural institutions have been raised to the level of the sacred; that is, they are institutions that redeem and sanctify man. Marriage has this sacramental character because it has as its model the redemptive and sanctifying love of Christ for the church. As this love and the freely given grace or Divine help and care that result from it is the cause of salvation, so too the love between husband and wife, inspired by a selfless commitment that seeks the good of the other as one's own good, is a means of the greatest personal growth possible and a path to sanctification.

Michael Novak's provocative essay argues the thesis that "it is the destiny of flesh and blood to be familial." Like Lasch, this author points to the role that postindustrial capitalism plays in the life of the modern family. Novak goes on to describe two types of people: "individual people" and "family people." The ethical dimensions involved here are comparable to what was discussed in Unit 1 regarding the privatizing of morals and the need for a social ethic.

In America much of our thinking centers around the individual. Society is regarded as an aggregate of interacting individuals, each one autonomous and, often, in emotional and spiritual isolation. Such an individual is willing to be touched by abstract ideals and ideas, by

"causes" but not by another person. Thus the commitment that marriage and family demands is shunned though the alliance may not be. The other perspective is that exemplified by "family people." For them society means the patterns and institutions of human living, of interpersonal relations. These necessarily involve limitations of an individual's supposed right to experience everything on one's own terms. For "family people," to opt for such complete individual freedom as an ethic for living is to deny one's destiny.

But this does not mean that one should close one's eyes to the fact that family demands and expectations can be destructive for the individual personality. David Cooper's article explores this aspect of family life. The love that smothers, the traditions that stultify, the obligations that enslave—these negative aspects, according to Cooper, result in the suppression of spontaneity, the death of imagination, and the depersonalization of the individual. He also suggests ways of overcoming them, much to the advantage of family life.

A similar theme is pursued by Edward Sapir. By clearing away some of the traditional notions of what being a member of a family implies, a greater personal liberation will result, which in turn can lead to a more creative role-fulfillment as husband, wife, or child.

Suzanne Keller reflects on the possible changes in family structure that may emerge from the current challenges to the social and psychological underpinnings of the

traditional one. Moral doubt and confusion produce a need for reassessment, not only of where society is at a given time but of what directions it might take in the future. Keller suggests that we may have to reevaluate our present conceptions regarding monogamy, sex roles and mores, and acceptable life-styles.

The marriage contract that follows is formulated in terms that show a recognition of some of the changes that have come about. The commitment of marriage need not mean the abdication of one's individuality, personal ideals, and aspirations.

Jessie Bernard examines another preconception in our traditional ideas about the marital relationship, namely whether having children cements that relationship and is a blessing to the marital union. According to several studies—most notably those by the National Institute of Mental Health—most married couples should not have children; childless marriages are happiest. Bernard foresees an increasing trend toward the childless marriage and a recognition of it as a richer, more fulfilling and satisfying way of life for some couples.

The concluding selection by De Rougemont sees the truly moral problem in marriage as the problem of choice. Any commitment to another person, for better or for worse, entered into with the intention of permanency, involves a great deal of risk. Such a decision or choice is "irrational" in the sense that in making it, one is choosing another to share a life-long intimacy involving unpredictable changes in self and in circumstances.

## Key Concepts

**Superego:** A term for the moral conscience, that faculty of self-criticism and self-censorship that serves as the guide for the behavior of the self or ego. The ego is the aware and assertive subject of personal experience and interpersonal relations.

**Family:** As a social institution this term refers to that grouping of people, related by kinship, that is based on biological or cultural norms and is primarily responsible for the biological and cultural survival of the human species. More particularly, the term is commonly used for the *nuclear family*, which consists of parents and children who ordinarily live together in privacy and maintain some form of isolation from the rest of society. Disappearing today is that type of *extended family* which, though composed of a number of nuclear families, thought of itself

as a unit because of blood ties and respect for familial traditions. The modern *communal family* or commune is an attempt to express this sort of unity on the basis of an agreement among members in place of blood ties. The nuclear family and pairing in couples may persist in such communal arrangements, but they are expected to be subordinate to communal caring and sharing. As mores and norms change, the concept of family is open to expansion to include other forms of interpersonal relationships.

**Marriage:** A social institution involving both a contract and a commitment between two individuals who choose to share their lives together. Ordinarily, this relationship is entered into with the intention of making it an enduring one and of excluding any other extramarital intimacies—sexual, psychological, emotional—that endanger the pri-

mary bond between the contracting parties. The modern marriage contract is meant to be a legally binding agreement regarding mutual rights and responsibilities, both as agreed upon between the parties and as defined by law. The commitment is meant to provide that psychological-emotional binding that is the source of a couple's mutual fidelity, caring, and concern.

**Sacramentalize:** To raise something to a holy status so that it is no longer to be conceived of in purely natural, secular terms or destined for purely natural, secular ends. A *sacrament* is the religious rite that confers this status. When it is said in Christian theology that marriage is a sacrament, both the status and the rite are meant. It is considered a sanctified and sanctifying state.

## Factual Review Questions

1. According to Lasch, upon what does the survival of any form of human society depend?
2. In what way has the family been transformed, according to Lasch?
3. What has been the major effect of this transformation?
4. Why is the superstate considered an assault on privacy?
5. What is the contribution of Christianity to the institution of marriage, according to James?
6. Why does marriage imply permanence in this framework?
7. What is Novak's central thesis?
8. What does he mean by stating that modern man attempts to make of himself a "pure spirit"?
9. What are some of the negative aspects of the family discussed by Cooper?
10. According to Sapir, what are the four major trends that are developing within the family as an institution?
11. What does he mean by saying that self-development makes for better role fulfillment?
12. What are the three sources Keller gives as challenging the underpinnings of the family?
13. What conclusion have researchers arrived at regarding childless marriages?
14. What does De Rougemont consider the truly moral problem of marriage?
15. In what sense is the decision to marry "irrational"?

## Essay and Discussion Questions

1. Write an essay either supporting or disputing Novak's defense of his thesis that "it is the destiny of flesh and blood to be familial."

### Suggested Guidelines

- Review the reason the family seems out of favor today.
- Evaluate this trend in terms of what it does to the individual, positively and negatively.
- List the positive values Novak finds in marriage and the family.
- Review the negative aspects of family life as given by Cooper and Sapir.

2. What changes in our traditional family structure do you think are desirable and should be brought about?

### Suggested Guidelines

- List the changes that are considered to have come about

according to Lasch, Novak, and Sapir.

--Reflect on the change that Keller and Bernard see as desirable or as possible alternatives.

--Consider what aspects of the traditional family structure you consider of permanent, unchanging value.

3. Write an essay, pro or con, discussing the statement "Most married couples should not have children."

### Suggested Guidelines

--Review the Reader selections by Novak, Cooper, Keller, and Bernard.

--Consider what you yourself want or would want out of a marriage.

--Would having children help or hinder these goals?

--What in your judgment are the qualities that are necessary for parenthood? Do most people have them?

## Suggested Reading

by Christopher Lasch

### Articles

- Burgess, Ernest W. "The Family as a Unity of Interacting Personalities." *The Family*, March 1926, pp. 3-6.
- . "The Romantic Impulse and Family Disorganization." *Survey*, 1927, pp. 290-294.
- Horkheimer, Max. "Art and Mass Culture." *Studies in Philosophy and Social Science*, 1941, pp. 291-294.
- Lowenfeld, Henry and Yela. "Our Permissive Society and the Superego." *Psychoanalytic Quarterly*, 1970, pp. 596-599.
- Marsh, Donald Chard, and Norman D. Humphrey. "Value Congeries and Marital Counseling." *Marriage and Family Living*, 1953, pp. 28-32.
- Marmor, Judd. "Psychological Trends in American Family Relationships." *Marriage and Family Living*, 1951, pp. 145-147.
- Parsons, Talcott. "The Link Between Character and Society." In *Social Structure and Personality*, pp. 212-217. New York: Free Press, 1941.
- Zuckermann, Michael. "Dr. Spock: The Confidence Man." In *The Family in History*, edited by Charles E. Rosenberg. Philadelphia: University of Pennsylvania Press, 1975. See especially pp. 183-184, 187-188, 194-196.

### Books

- Braverman, Harry. *Labor and Monopoly Capitalism*. New York: Monthly Review Press, 1974. A Marxist assessment of the impact of the Industrial Revolution on the family (pp. 272-280).
- Keniston, Kenneth. *The Uncommitted*. New York: Harcourt, 1965. A well-known study of the cultural and ideological alienation of the young in American society. The author discusses the generational gap and the problems posed by young peoples' lack of identification with their parents (pp. 284-288, 301-305).
- Mead, Margaret. *Male and Female*. New York: Morrow, 1949. This examination of the sexes in a changing world drawn by the prominent anthropologist draws on her studies of sex roles in the South Pacific (Chapter 13).
- Myerson, Abraham. *The Nervous Household*. Boston, 1920. An examination of the various forms of nervousness in housewives and of their causes, including a discussion of housework and the home as factors in producing neuroses.
- Riesman, David. *The Lonely Crowd*. New Haven, Conn.: Yale University Press, 1950. A popular analysis of the decline of the "inner-directed" character, who has internalized adult authority—especially that of the parents—and the emergence of the "other-directed" character of our consumption society (pp. 49-55).
- Shorter, Edward. *The Making of the Modern Family*. New York: Basic Books, 1975. A provocative study of modern trends in family life: changing sex role definitions, and sexuality.

Wollstein, Martha, and Nathan Leites. *Movies: A Psychological Study*. New York: Atheneum, 1970. A psychoanalytical and anthropological approach to a study of recurrent themes in American movies as a reflection of our culture (pp. 149-153, 168-174).

## Additional Suggestions

Recommended by Philip Rieti

### Articles

- Brontenbrenner, Urie. "Spirit of '76--No. 2: No Hassle, Let's Split." *The Listener*, May 1976 (p. 668).
- Demos, John. "The American Family in Past Time." *The American Scholar*, Summer 1974 (p. 444).
- Lasch, Christopher. "The Suppression of Clandestine Marriage in England." *Salmagundi*, Spring 1974 (pp. 90-92, 98-100, 104-105, 108-109).
- Lidz, Theodore. "The Broken Balance: Symbolic Functioning and the Crisis in Western Civilization." *Humanitas*, May 1972 (pp. 149-150).
- Mace, David R. "In Defense of the Nuclear Family." *The Humanist*, May/June 1975 (pp. 27-29).
- Rudikoff, Sonya. "Marriage and Household." *Commentary*, June 1973 (pp. 62-64).
- White, Leslie. "The Definition and Prohibition of Incest." *American Anthropologist*, July 1948 (pp. 422-425).

### Books

- Dahrendorf, Ralf. *Society and Democracy in Germany*. Garden City, N.Y.: Doubleday, 1967 (Anchor Edition, pp. 388-389). An analysis of how the Nazis destroyed the autonomy and traditional values of the family.
- Hoebel, E. Adamson. *The Law of Primitive Man*. Cambridge, Mass.: Harvard University Press, 1954 (pp. 82-84, 102, 109-113). The primitive marriage customs of the Eskimo and the Itugao.
- Makarenko, A.S. *The Collective Family*. Translated by Robert Daglish. New York: Anchor Books, 1967 (pp. 11-13, 16-17). Russian maxims on how to raise children.
- Mesnil, Jacques. *Le Mariage Libre*. Brussels: Administration, 1900 (pp. 55-57, 60-61). The author advocates that marriage should have no other end than the love of its partners.
- Zimmerman, Carle. *The Family of Tomorrow*. New York: Harper and Brothers, 1949 (pp. 29-30). An analysis of current and future trends in the family.

## 4. Abortion

### Learning Objectives

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#### To understand

- the factors that make the questions of abortion so difficult to discuss and resolve
- the prevailing viewpoints on the morality of abortion and the arguments used in their support
- the deeper moral issues and dilemmas underlying the abortion question

### Overview

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Any issue that touches on the question of human life, its protection, and its fostering cannot help but be of profound significance for society. For one thing, it is ultimately from theories or convictions concerning the nature and purpose of human life that ethical systems are spawned. And for another, in American society especially the sacredness of human life is a cherished value.

It is no wonder, then, that the issue of abortion provokes such heated debate, for at its center is the question of whether—and when—the fetus is a person. The purpose of this unit is to bring out the major positions taken in this debate, the arguments pro and con, and the complexities involved.

The newspaper article by Daniel Callahan sets the stage for what follows. He discusses how and in what way abortion is a moral problem. Then he puts into context the basic concepts involved: person, viability, individual rights. And though he himself opts in favor of permitting abortion, he does so uneasily.

Some of the reasons for Callahan's unease are revealed in the first Reader selection in which he sets the whole question in the context of the broader issues of morality itself. These issues, which have come up in the first three units, include the privatizing of morals, the need for a social ethic, the tyranny of public opinion, and the meaning of responsibility. Most importantly, he deals with the question of what makes the choosing or not choosing to have an abortion a *moral* choice. The moral issue may be said to consist in that sense of responsibility that shows itself in the desire to do what is right and that is concerned with the protection and furthering of life.

The next two selections are, respectively, a defense and an attack on the Roman Catholic church's antiabortion campaign. For the church to do what is right and to protect life means a rejection of abortion, for it holds that the fetus is a person from the moment of conception. George Williams defends the church's efforts because they have as their object the good of all mankind. Williams himself allows for abortion in certain extreme cases, for example, rape and incest, but in all other cases he asserts the right of the fetus to life.

Robert Hall's opposing viewpoint holds that all voluntary abortion is permissible because the fetus is not scientifically or legally a person. Abortion is therefore the right of every woman. He castigates especially the political implications of the Catholic church's attempt to exert pressure for antiabortion laws.

Abortion is one of those areas in which the moral and legal realms intertwine. The 1973 Supreme Court decision, *Roe v. Wade*, presents the current law on abortion. Of special interest are the distinctions made regarding when the judgment on abortion is considered a medical one and when a legal one or one in which the state may intervene. The limitations that apply to the power of the state and the physician in this regard are also given.

Bernard Nathanson is a physician who was a leading advocate of legalized abortion. His discussion contains the reflections of an activist who has had second thoughts on the matter and is now calling for an end to militancy and a start to a concerted cooperative effort. This effort should be directed toward the creation of a moral climate rich enough to provide for abortion, but sensitive enough

to hold in reverence the whole spectrum of life. Needed also is a body of specialists, working in consort, who can help a woman arrive at a truly moral decision on abortion.

John Noonan's article discusses those deeper currents at work in modern society that have desensitized us, to some extent, in our appreciation of life as an interdependent phenomenon. Social changes, such as those discussed in the first three units, have been at work here. Noonan spells out the consequences of these changes and how and why they have produced an atmosphere in which a wide acceptance of abortion has come about.

Judith Thomson presents a proabortion argument for the case in which the mother's life is endangered by the pregnancy. After pointing out the weaknesses she finds in the "life is a spectrum" argument, she goes on to draw an analogy that anticipates Garrett Hardin, who introduces the notion of "compulsory pregnancy."

Leon Kass deals with a problem increasingly coming to the fore because of advances in medical technology, namely, the question of what justifies an abortion for genetic reasons. Amniocentesis, a medical procedure that makes possible the detection of some genetic diseases in the fetus a pregnant woman carries, gives to the prospective parents the option of deciding whether the fetus should be carried to term. At heart, this decision is a judgment on whether a fetus with genetic abnormalities is fit or unfit to live. Kass is concerned with the norms for making this judgment, and he discusses three standards to which one might resort: the societal, the parental, and the natural. He finds none of them satisfactory for hu-

mane and adequate justification for genetic abortion must not simultaneously justify infanticide, homicide, and enslavement of the genetically abnormal.

Henry Aiken, however, argues that there is a standard that serves as an adequate justification for genetic abortion. That norm is whether the fetus has or has not the possibilities of living a truly human life. This is the *raison d'être*, or reason-for-being, of coming into being.

Garrett Hardin is of the opinion that the main problem in the whole abortion question is that the wrong question is being asked. Instead of asking whether we can justify abortion, we should be asking whether we can justify "compulsory pregnancy." His answer is no. The moral decision involved must begin with the fact of pregnancy. And if a woman is pregnant against her will, for any reason, then she is under compulsion. The alternatives are clear: Either she submits to the compulsion or she opts for abortion. With regard to the antiabortion argument that the fetus is a potential human being, Hardin argues that this potentiality as such has no value; value is in actuality, for example, a house as distinct from the blueprints for it.

The concluding article by Sissela Bok takes our general principles and attitudes with regard to killing and uses them to weight the factors that should count in the abortion issue. She concludes that, while the reasons for the protection of the life of the fetus at the very early stages of pregnancy are minimal, at later stages special reasons for abortion should be required. At the stage of viability, all abortions except those required to save the life of the mother should be prohibited.

## Key Concepts

**Humanhood:** That stage of development at which human life begins and at which rights are attributable. Just what the indicators of humanhood are, those positive and negative criteria that are to apply in determining it, is a matter of continued discussion among philosophers, theologians, and scientists. Tentative definitions rely on biological, moral, and psychological traits—for example, brain function, the capability of relating to others, and self-consciousness. They may stress just one aspect or may include several in the list of criteria.

**Abortion:** The premature expulsion of the human fetus at any time before it is viable. It involves, ordinarily, the

intended death of the fetus. A *therapeutic* abortion is one that is carried out for reasons of the physical or mental health of the pregnant woman.

**Viability:** That stage of development at which the fetus is capable of surviving outside of the maternal womb. It varies from one fetus to another. The definition of this term also depends on what needed life-sustaining supports are available and on the nature of those supports. Therefore, the definition of this concept is subject to modification and expansion.

**Quickening:** That stage at which the mother first feels life in the womb.

## Factual Review Questions

1. What, according to Callahan, is the key problem in the abortion issue?
2. What is the basis of the claim that a woman has the right to choose regarding abortion?
3. What, according to Callahan, is necessary to make a free choice a moral choice?
4. What is the major reason for Williams' defense of the Roman Catholic church's antiabortion campaign?
5. Scientifically and legally the fetus is not considered a human being. Why?
6. What is Hall's main objection against the Catholic position?
7. According to the *Roe v. Wade* decision, what are the limitations of the state's regulatory power in the matter of abortion?
8. Nathanson argues that the criteria for determining death should be used for determining life. What are the criteria?
9. What does he mean by the statement "life is a spectrum"?
10. Noonan discusses some of the deeper currents at work in society that have produced an atmosphere favorable to abortion. What are they?
11. What are Thomson's objections to the "life is a spectrum" argument against abortion?
12. Why does Kass reject any of the proposed standards for genetic abortion?
13. What is Aiken's standard regarding abortion?
14. Why does Hardin maintain that the wrong question is being asked regarding abortion?
15. Why are the concepts "quickening" and "viability" central to Bok's discussion of abortion?

## Essay and Discussion Questions

1. Callahan suggests that there are several ways of looking at abortion: as a religious problem, a legal problem, a medical problem, and so on. What kind of question is abortion for you? Why?

### Suggested Guidelines

- Review Callahan's two articles, attending to the various approaches to the question.
- State your own stand on the abortion issue, giving reasons why you take this stand.
- Take into account the arguments, pro and con, for non-genetic abortion that are given in most of the Reader selections.

2. At the end of his discussion on genetic abortion, Kass reveals that he is frustrated because he has failed to provide himself with a satisfactory justification for the practice. Can you provide one? If not, why?

### Suggested Guidelines

- Review the proabortion arguments given by Thomson,

Aiken, and Hardin. Pick those you consider applicable in all cases.

—Consider the three standards given by Kass. Do any of them strike you as valid?

—Reflect on what would sway your judgment most if you were in the position of a prospective parent of a defective child.

3. Noonan claims that educated American opinion today accords a new acceptance to abortion. Discuss the reasons within the context of the deeper moral changes in American society.

### Suggested Guidelines

- Review the changes you have studied in the first three units. Refer to the essay questions for appropriate Reader selections.
- Select those changes you consider directly responsible for this new acceptance of abortion and explain why they are responsible.



## Suggested Reading

by Daniel Callahan

### Articles

- Blake, Judith Davis. "Abortion and Public Opinion: The 1960-1970 Derade." *Science* 171 (February 12, 1971): pp. 540-549. An interesting survey of the surveys with women; it turned out, consistently more opposed to permissive abortion laws than men.
- Bleich, J. David. "Abortion in Halakhic Literature." *Tradition* 10 (Winter 1968): pp. 72-120. An analysis of rabbinical decisions in abortion cases.
- Brody, Baruch A. "Abortion and the Law." *Journal of Philosophy* June 17, 1971: pp. 357-369. An article by a philosopher critical of liberalized abortion laws.
- Dupré, Louis. "A New Approach to the Abortion Problem." *Theological Studies* 34 (September 1973): pp. 481-488. An attempt by a Roman Catholic theologian to find a more liberal interpretation of his church's position.
- Potter, Ralph. "The Abortion Debate." In *Updating Life and Death: Essays on Ethics and Medicine*, edited by Donald R. Cutler, pp. 85-134. Boston: Beacon Press, 1969. A fine summary of the arguments and the positions of opposing schools of thought.
- Tietze, Christopher, and Deborah A. Dawson. "Induced Abortion: A Factbook." *Reports on Population Family Planning* 14 (December 1973). A very careful compilation of medical, social, and demographic data on abortion.
- Williams, G. H. "Religious Residues and Presuppositions in the American Debate on Abortion." *Theological Studies* 31 (1970): pp. 10-75. An examination, from a Protestant perspective, of the role of religious thought in the shaping of the abortion discussion.

### Books

- Callahan, Daniel. *Abortion: Life, Choice and Morality*. New York: Macmillan, 1970. See especially Chapter IX, "The Sanctity of Life," pp. 307-348, which analyzes various contemporary meanings of the concept.
- Cohen, Marshall, et al., eds. *The Rights and Wrongs of Abortion*. Princeton, N.J.: Princeton University Press, 1974. A collection of major philosophical articles on abortion, both pro and con.
- Committee on Psychiatry and Law of the Group for the Advancement of Psychiatry. *The Right to Abortion: A Psychiatric View*. New York: Scribner's, 1970. A brief, succinct statement by a group of psychiatrists favorable to liberalized abortion laws.

Grisez, Germain. *Abortion: The Myths, the Realities, and the Arguments*. New York: Corpus Books, 1970. See especially Chapter IV, "Religious Views of Abortion," pp. 117-184, an excellent survey of various religious traditions.

Moore-Cavar, Emily C. *International Inventory of Information on Induced Abortion*. New York: Columbia University, International Institute for the Study of Human Reproduction, 1974. A very detailed collection of empirical data on abortion attitudes and practices throughout the world.

National Conference of Catholic Bishops. *Documentation on the Right to Life and Abortion*. Washington, D.C.: United States Catholic Conference, 1974. An excellent source of information on Roman Catholic teaching.

Noonan, John T., ed. *The Morality of Abortion: Legal and Historical Perspectives*. Cambridge, Mass.: Harvard University Press, 1970. A fine collection of essays, on the whole supportive of traditional bans against legalized abortion.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

- Hare, R.M. "Abortion and the Golden Rule." *Philosophy and Public Affairs*, Spring 1975 (pp. 201-202, 206-209, 221).
- Margolis, Joseph. "Abortion." *Ethics*, October 1973 (pp. 57-58).
- Ramsey, Paul. "The Morality of Abortion." In *Life or Death: Ethics and Options*. Seattle: University of Washington Press, 1968 (pp. 86-91).
- Rudinow, Joel. "On The Slippery Slope." *Analysis*, April 1974 (pp. 173-176).
- Wertheimer, Roger. "Understanding the Abortion Argument." *Philosophy and Public Affairs*, Fall 1971 (pp. 67-68, 70-71, 78-79, 85-94).

### Books

- Van der Tak, Jean. *Abortion: Tradition and Changing Legislation: An International Review*. Lexington, Mass.: Heath, 1974 (pp. 7, 13-20). An analysis of international trends on abortion. The pages indicated present statistics of abortion in communist Eastern Europe.



## 5. Aging and the Aged

### Learning Objectives

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#### To understand

the myths and stereotypes surrounding old age  
why the elderly in America have emerged as a social and moral problem  
the constructive ways of coping with the personal and social dimensions of aging

### Overview

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In a recent television show, comedienne Nancy Walker turned to the actress who plays the role of her daughter and pronounced a mock curse: "May I be a burden to you in my old age." The audience reaction was laughter. What was meant to be a humorous scene underscores a basic social and personal problem in American society -- that of aging and the aged. This unit explores some of the major reasons behind the common view of old age as an inescapable and dreaded burden and discusses constructive alternatives to dealing with it and changing it. Common to many of the articles is the theme that our society denies the elderly a meaningful role.

Daniel Callahan's newspaper article contains a personal statement of his own terrors over the prospect of growing old. Basically his fears center on the quality of life the aged lead that frequently results in one becoming a burden to oneself and to others. The healthy desire for independence turns into the actuality of isolation from others. The wish for self-sufficiency from family and kin can be realized only by a dependence upon the all-sufficient state. Callahan envisions an even worse future ahead. By the year 2000, it is estimated that 25 percent of our population will be in the senior citizen category. In a youth-oriented, consumer-producer society such as ours, the question of priorities must arise. To whom will necessarily limited resources go? Is our answer already implicit in the actual orientation of our culture?

The article in the Reader by Sidney Callahan and Drew Christiansen raises important questions about this problem and calls for a cultural reorientation. According to these authors, not only does our society need new social policies, but it must also put the meaning of aging in proper human perspective. However, there are ingrained atti-

tudes that stand in the way of such a reorientation, most notably our preoccupation with the future. Our social ideals are geared to progress and change, to accomplishment and success. But there is no future in aging. The old, according to Callahan and Christiansen, live in a peculiar time frame, with a past but no future, a present without prospect of change. And if the elderly do not change, what can they possibly contribute to a progressive society? We have no noble ideals of old age, the authors argue.

Such presuppositions are an example of the myths and stereotypes that surround old age. This is the topic of Robert Butler's analysis. He begins by sketching a picture of old age that is held by many Americans, then proceeds to show what a distorted picture it is. That youth is an attitude of mind is a double-edged saying. One meaning reveals the assumption that only the young are productive, adaptable to change, alert and aware, stimulating and interesting. This is why staying young is an American fetish. Butler shows that this attitude is the result of a lack of knowledge of and insufficient contact with the elderly. But more importantly it is founded in a deep prejudice against the elderly, present to some degree in all of us. This prejudice obscures the fact that youth is an attitude of mind that we can find in the elderly, too. This is the second and more common meaning of the saying to which we must pay more than lip service.

Who can speak for the old? Bert Kruger Smith does and eloquently so. What is uttered is a plea for someone, for anyone, to recognize "that within my soul I exist." And that "I" is not simply the memory of a person who was; it is someone who here and now feels acutely the isolation and pain that being old can mean.

From Elmer Davis we get another view. Being old can mean having the freedom of unconcern for what is an overriding concern of many—the lust for success. This freedom carries with it another benefit. One can speak one's mind without fear of the consequences that forthrightness can have on one's future. After all, the future is already behind you when you are elderly.

William Graham Sumner illustrates the two basic attitudes toward the aged found in various cultures, namely, an attitude of respect and one of contempt. In those cultures that value the aged, there is a marked respect for the wisdom and experience they can contribute to the survival of the group. Among those who exhibit contempt, the elderly are looked upon as burdens to society because they are nonproductive consumers of resources.

Alexander Leat gives a description of three cultures in which the old are held in respect and that are renowned for their centenarians: the Abkhasians who live in the Caucasus Mountains of Russia, the Hunzas and Hunzucuts of northern Pakistan and Sinkiang, China, and the Vilcabambans of southern Ecuador. The elderly among these people are an integral part of the community and are included in its active life. Leat points out that both their work and their wisdom are taken seriously by the young. While the psychological effects of such positive attitudes cannot be measured, it is quite reasonable to suppose that they have an effect on the energy and vitality the elderly exhibit in these cultures. Further, Leat asserts that the sense of usefulness, of being recognized as an "I," is a potent factor in producing an optimism and a desire to live, which in turn are significant factors for a long and healthy life. Leat argues for the creation of conditions that will restore this respect in postindustrial society. A start, in his view, would be to provide more opportunities for self-enrichment and integration into the mainstream of society for those of retirement age.

Arlie Hochschild presents conclusions of what the elderly want and how they actively cope. From a study of

low-income, senior-citizen housing projects, she points out that the elderly prefer to live with their own age group. In the company of their peers they feel free to act in the manner in which they choose and not on the basis of an imposed stereotype. Further, they manage to replace old, lost roles (for example, parent, spouse, provider) with new ones created by the various social and service activities that are afforded by these communities. Above all, they feel needed in the exercise of a mutual concern.

There is one form of segregation of the old that has recently come under journalistic attack as well as government investigation—the nursing home. Who are the villains—the children who put their parents in these homes or the proprietors who profitably assume their care? The letter written to Ralph Nader singles out the medical profession and the proprietors, often members of that profession, who run these homes as human storage bins.

In the next selection, Simone de Beauvoir calls for something more than the change in social policies for the elderly advocated by Sidney Callahan and Drew Christiansen. What she sees as crucial is a renewed sense of humanity that will enable everyone, of whatever age, to lead a truly human life. Certainly, drastic reforms are needed in social policies and attitudes toward the elderly. But what is fundamentally needed is nothing less than an attack upon the entire system that causes the gradual destruction of individuality and dignity throughout a person's life by treating that person as a consumer-producer and not as a whole human being. Without basic reforms in the economic system, according to de Beauvoir, old age will continue to be a parody of life no matter what reforms are undertaken in social policies for the elderly.

The concluding article by H. Tristram Engelhardt is a reflection on death as a part of life. A salutary reminder of human mortality is also a reminder that health is a value, one among the many that go to make up a society's view of the meaning and purposes of life. And since life is an interdependent phenomenon, longevity has meaning only within the general purposes of life.

## Key Concepts

**Aging:** A process characterized by a decrease in an organism's ability to perform and to stand stress generally with the advance of chronological age. The rates at which individuals age vary, and chronological age is not necessarily indicative of the physiological, psychological, and social aging of a person. The process itself is influenced by race, customs, diet, and general attitudes of life.

**Senility:** A state of greatly decreased physical and mental capacities found in some old individuals.

**Longevity:** The mean age that members of a species attain. The term is also used for the maximum age some individuals attain. In the case of centenarians discussed here, both genetic and environmental factors are thought to be involved.

## Factual Review Questions

1. What two conflicting images of old age are discussed by Daniel Callahan?
2. According to Callahan, independence and self-sufficiency are healthful desires, but they work to the detriment of the elderly. How?
3. According to Sidney Callahan and Drew Christiansen, what is the only acceptable ideal of old age we admit?
4. What do they prescribe as necessary for coping with the inevitable changes of old age?
5. What, according to Butler, is the myth of aging?
6. What is "ageism"?
7. What does Smith plead for, above all?
8. What does Davis see as the blessing of old age?
9. According to Sumner, what are the two attitudes toward the aged found in various cultures?
10. What central lesson do the three cultures described by Leaf have for us?
11. What does Leaf suggest to counter the devastating effects of enforced leisure?
12. What are Hochschild's conclusions regarding integration and segregation of the elderly?
13. Why does de Beauvoir maintain that it is old age, rather than death, that is to be contrasted with life?
14. Where does de Beauvoir see the central problem to be?
15. Why does Engelhardt maintain that death is not medicine's enemy?

## Essay and Discussion Questions

1. Discuss the two conflicting images of old age in American society that emerge from the readings in this unit.

### Suggested Guidelines

- Review the newspaper article by Callahan and the Reader selections by Butler, Smith, Davis, Hochschild, and Sumner.
- Reflect on what, in your opinion, can help reconcile the conflict. Consult the article by Callahan and Christiansen.

2. Callahan and Christiansen call for a cultural reorientation to remedy attitudes toward the elderly; de Beauvoir sees the problem in a broader perspective. Write an essay on how you view the problem and what you see as possible approaches to a solution.

### Suggested Guidelines

- Review the selections by the above authors, noting the reasons they give for their positions.
- Review Leaf's analysis.
- Consider the recommendations they make.
- Evaluate these positions and solutions.

3. Discuss "ageism" in the light of your own attitudes toward, preconceptions about, and prejudices against the elderly.

### Suggested Guidelines

- Consider the myths and stereotypes analyzed by Butler.
- Review the newspaper article and the reader selections by Smith and Davis.
- Reflect on what you look forward to in old age.

## Suggested Reading

by Daniel Callahan

### Articles

- "Aging in the Year 2000: A Look at the Future." *Gerontologist* 15 (February 1975), Part II. Some sensible speculation on the future of aging and aging in the future.
- Christiansen, Drew. "Dignity in Aging." *Hastings Center Report* 4 (February 1974), pp. 6-8. A discussion of the possibility of dignity and self-respect in old age.
- Hayflick, Leonard. "The Biology of Human Aging." *American Journal of the Medical Sciences*, 265 (June 1973), pp. 433-445. A

good survey of the present state of biological understanding of the process of aging.

- Hess, Beth B. "Stereotypes of the Aged." *Journal of Communication* 24 (Autumn 1974), pp. 76-85. An interesting survey of the varied, and often contradictory, public images and ideas of what it means to be aged.
- Kaplan, Jerome. "In Search of Policies for Care of the Aged." In *Ethics of Health Care*, edited by Laurence R. Tancredi, pp. 281-303. Washington, D.C.: National Academy of Sciences, 1974.

An examination of the problems of developing a national ethical and social policy for the care of the aged.

Neugarten, Bernice L. "Age Groups in American Society and the Rise of the Young Old." *The Annals of the American Academy of Political and Social Science*, 415 (September 1974), pp. 187-198. A study of the growing social importance of the age group fifty-five to seventy-five, those "young old" who are in good health, educated, and politically active.

Swenson, Wendell H. "Psychological Aspects of Aging in the American Culture." *Psychiatric Annals* 2 (November 1972), pp. 28-31, 34-35. A look at the way the elderly evaluate their worth and role in America.

#### Books

Butler, Robert N. *Why Survive? Being Old in America*. New York: Harper & Row, 1975. A comprehensive, if pessimistic, examination of the problems of growing old in America.

De Beauvoir, Simone. *The Coming of Age*. New York: Warner Books, 1973. A moving, historical and philosophical study of the meaning of aging.

Field, Minna. *The Aged, the Family, and the Community*. New York: Columbia University Press, 1972. See especially Chapter 4, "Economics of Aging and Family Relationships," pp. 34-57. An examination of the economic status of the aging in the United States and, in particular, a look at the impact of financial dependency.

Woodruff, Diane S., and James E. Birren, eds. *Aging: Scientific Perspectives and Social Issues*. New York: Van Nostrand, 1975. A good survey of biological, sociological, and cultural aspects of aging.

## Additional Suggestions

Recommended by Philip Rieff

#### Articles

Gutmann, David. "The Premature Gerontocracy: Theories of Aging and Death in the Youth Culture." *Social Research*, Fall 1972 (pp. 417-419, 424-426, 442-445, 446).

Neugarten, Bernice L. "Patterns of Aging: Past, Present and Future." *Social Service Review*, December 1973 (pp. 574-576).

Parsons, Talcott. "The Aging in American Society." *Law and Contemporary Problems*, 1962 (pp. 29-32).

Riesman, David. "Some Clinical and Cultural Aspects of the Aging Process." *American Journal of Sociology* 59. Reprinted in *Individualism Reconsidered*. Glencoe, Illinois: Free Press, 1954 (pp. 484-486, 489-490).

#### Books

Field, Minna. *Aging with Honor and Dignity*. Springfield, Ill.: Charles C. Thomas, 1968 (pp. 86-91). A consideration of problems of aging, with particular attention to the problems of adult children in adjusting to the aging of their parents.

Simmons, Leo W. *Role of the Aged in Primitive Society*. New Haven, Conn.: Yale University Press, 1945 (pp. 50-51, 61-62, 105). A review of the anthropological literature, citing various primitive societies in which the aged have enjoyed considerable power and prestige.

Townsend, Peter. *The Family Life of Old People*. London: Routledge and Kegan Paul, 1957 (pp. 252-256). The routine of daily life of old people in the English lower-middle class is illustrated through diary entries.

## 6. Politics: The Domestic Struggle for Power

### Learning Objectives

#### To understand

the relation between morality and politics as conceived and practiced in America  
the meaning and significance of a politics of restraint in a free society  
why the problem of equality is a central concern in a democratic society

### Overview

To the rest of the world, America has been, at various times, a source of admiration or envy, emulation or frustration. But at all times we have been a puzzle, mainly because of the distinctive features of our politics. They exhibit a peculiar combination of idealism and pragmatism, naiveté and shrewdness, and an overriding concern for morality. Because we are as we are, we experience distinctive problems and dilemmas in our democracy. This unit seeks to analyze some characteristic aspects of our domestic politics and some of the moral issues that arise from political action.

The newspaper article by Robert Tucker deals with the distinguishing feature of politics, the exercise of power over others. The first purpose of civil society is to *restrain* the governed and those who govern. Power is the means for achieving this. It is from the pursuit and exercise of power that the moral issues of politics arise. Tucker points out the relative novelty of this "politics of restraint," which is the beginning of constitutionalism as we know it. In American society, political immorality is viewed as an immoral use of power either as a means to personal financial gain or for the unlawful aggrandizement of still greater power. The first of these, venality, is the more readily recognizable, but the second is by far the more erosive of the foundations of a free society.

The politics of restraint in a constitutional democracy is intimately connected with the goals of the political system. The social conflicts of the 1960s raised fundamental questions about the exercise of power and its relationship to those goals. These are discussed in the first three Reader selections.

John Rawls raises the question of what makes a social order just and legitimate. In analyzing this, he asks what standards rational and self-interested individuals, in an original position of equal liberty, would choose for judging

an institution to be just. He concludes that two principles would be selected. One would provide each member the greatest liberty compatible with a like liberty for all. The second would concern the inequalities that arise out of the institution's structure, that is, out of its offices and positions, with the differences in benefits and burdens attached to them. These inequalities must work to everyone's advantage and the offices themselves must be open to all.

Irving Kristol examines Rawls' thesis that a social order is just only if directed to the redress of inequalities. He rejects it on the basis that, while all men are created equal, they nevertheless all remain subjected to the "natural tyranny of the bell-shaped curve." That is to say, most people are middling to mediocre in intelligence, talent, and abilities, with a much smaller percentage in the higher and lower brackets. This is a fact of nature, Kristol argues, and it results in a natural inequality of economic and social position. But Kristol sees something more profound than social and economic factors at work; he regards the search for equality in society as a substitute for man's basic desire for spiritual answers to the meaning of life. It is a futile attempt to transcend his middling nature and the bourgeois society through secular means.

Michael Walzer takes issue with Kristol's position that the present division of wealth and power is founded in the nature of human nature. His main objection is that there is not a *single* bell-shaped curve for deciding which particular talents or set of abilities entitle one to every available social good. The question at issue is equality, and equality, according to Walzer, requires a diversity of principles that reflect both the evident variety of abilities found among individuals and the different desirable social goals. For Walzer, equality is not merely spiritual but is very much of this world and is attainable in a just society.

From a philosophical analysis of the ends of a political

system, we turn to a discussion of particular means to particular goals. Why are some of these means considered immoral? The newspaper article by Tucker makes the point that in the popular mind, political immorality is most often equated with venality. Boss Tweed is one of those figures in American political history whose name is synonymous with that form of corruption, among others. Jack Douglas undertakes to show that this picture is a one-sided caricature of a man who was one of the great social analysts in American history. Tweed knew how to balance the conflicting forces of a variety of special interest groups. The means of achieving this involved graft, pay-offs, political favors, and the aggrandizement of power. But the objective of these means was to make them ultimately unnecessary. Once power was sufficiently centralized, the initially ungovernable conflicting forces would be governable without resorting to such means because the real power would be in the hands of the government and independent of these groups.

Lincoln Steffens illustrates the thesis that the people get the kind of government they deserve. According to Steffens, corruption in all its forms, petty and major, is a way of life among private citizens in their dealings with each other and with their government. It is only natural that it should be part and parcel of political life. Worse yet, Steffens argues, because private moral life is in such a sorry state, the moral fiber to produce needed reforms is lacking.

In our own time, Watergate has become the symbol of political corruption. Archibald Cox reflects upon the deeper, long-range forces in our moral climate that are revealed in those political acts, perpetrated by individuals and groups in our society, that make a Watergate possible. He examines four cases in which people engaged in illegal acts on the basis of their belief that their motives and goals were moral. He contends that in each case these acts were immoral because they violated standards that must be accepted and observed if a free society is to survive. However noble their ends, these individuals were not justified

in using immoral means to achieve them. While we are not always in a position to know whether particular ends and goals are right or wrong, Cox maintains there are some "virtual absolutes," standards that we can apply to judging the morality of the means.

*The Communist Manifesto* is an example of the position that the ends do justify the means when attacking the core problem of social justice. It maintains that one fact is common to all past ages, namely, the exploitation of one part of society by the other. Only in a society purged of such class exploitation can genuine justice emerge. To achieve this end, violence and revolution that "sweep away by force the old conditions" are justified.

Tucker has already pointed to some moral issues raised by a politics of restraint. But there are different philosophies of constitutional government that raise their own moral questions. Liberalism is one such philosophy. It is a viewpoint that insists on the independence of the individual and strongly supports maximum civil liberties. Thus it stands for limiting restraints upon individual liberties and for using the powers and resources of the federal government for achieving those social reforms that will facilitate the exercise of those liberties. James Burnham mounts an attack on modern liberalism because, in his judgment, it has encouraged moral relativism and permissiveness, divisive pluralism and group struggle. The result, Burnham argues, has been an erosion of authority, the only enduring and stable basis for a truly free society. But he sees liberalism as moribund because not only are the social programs that it supports not working to cure the social ills of today, they are making them worse.

The final selection by Walter Lippmann is a defense of the liberal philosophy. He portrays effective liberalism as a doctrine concerned with the development of law, the definition of mutual rights and duties, and with those restraints upon the governed and the government that are necessary to insure a peaceful and free egalitarian society.

## Key Concepts

**Justice:** A standard that, in political philosophy, is considered to be one of the most important for all social and political institutions to meet. It was Aristotle who first pointed out the two fundamental approaches to this standard. One makes justice the summation of all virtues of social and political institutions. Thus the truly just society is the more or less perfect one in all respects. The second, which is the commonly accepted approach, sees justice as but one virtue or desirable standard among many. An in-

stitution can be just without, at the same time, being efficient, compassionate, benevolent, and so on. Among philosophers, there is considerable disagreement as to the nature or true definition of justice.

**Egalitarianism:** The belief in the equality of the worth of all persons, regardless of social rank. An egalitarian society is one that judges individuals by achievement and not by birthright. The term is also used by those whose political philosophy demands the abolition of any rank.

**American liberalism:** In its modern form, this political philosophy began with the New Deal of the 1930s. It emphasizes civil liberties and equal participation in the political process. It also stresses the responsibility of the government for controlling business and for maintaining minimum standards of social and economic welfare and equality of opportunity.

**Bourgeoisie:** In the Marxian model, the social class comprising the owners of capital and property. This class is

distinguished from the *proletariat*, made up of the large mass of individuals who own nothing but their labor power. The concept of *alienation* is important here. In the Marxian view, capitalist institutions have brought about the estrangement of the worker from his work, turning him into an automaton. Man is subordinated to the machine and made to feel powerless. The result is alienation, a loss of meaning to life.

### Factual Review Questions

1. What, in Tucker's view, is the central preoccupation of politics?
2. What raises the moral issue of politics at its most fundamental level?
3. How does Tucker define the primary function of morality in politics?
4. Which two principles are involved in Rawls' concept of justice?
5. What does Kristol mean by the "natural tyranny of the bell-shaped curve"?
6. What does Kristol consider to be the real problem in the search for equality?
7. According to Walzer, which two propositions are involved in the defense of inequality?
8. As Walzer analyzes it, what does equality really require?
9. What is Douglas' thesis regarding Boss Tweed?
10. What fact is common to all past ages, according to *The Communist Manifesto*?
11. What is the common thread Cox detects running through the four cases he discusses?
12. What does Cox mean by "virtual absolutes"?
13. According to Burnham, why is liberalism moribund?
14. What does Burnham consider to be the sources of the current crises in society?
15. What are the elements of effective liberalism, according to Lippmann?

### Essay and Discussion Questions

1. Write an essay on whether or not you consider Americans to be a nation of moralists in politics. Give your reasons for your position.

#### Suggested Guidelines

- Review Tucker's discussion of the relation between morality and politics
- Articulate your own view of the role of morality in politics.
- Reflect on what you consider to be immorality in politics.

2. Compare the respective positions taken by Rawls, Kristol, and Walzer on equality and inequality. With which analysis or analyses do you agree, and why?

#### Suggested Guidelines

- Review the selections by Rawls, Kristol, and Walzer.
- State the central thesis in each viewpoint.

—Consider what you understand by equality and inequality.

3. Give an evaluation of Cox's central thesis that there are "virtual absolutes" that must be accepted if free men are to live together.

#### Suggested Guidelines

- Reflect on the issues raised by Douglas in his discussion of the problems of governing New York.
- Consider whether Cox's viewpoint allows for effective dissent in a politics of restraint.
- Review the standards Cox lists as virtual absolutes, and evaluate whether they are precise enough to be applied in almost all cases. What exceptions can you think of?
- What is your position on the right to dissent in a free society?



## Suggested Reading

by Robert W. Tucker

### Articles

Thoreau, Henry David. "Civil Disobedience." In *The Variations of Civil Disobedience*. New York: Twayne, 1962. pp. 325-364.

### Books

Adams, Henry. *Democracy: A Novel*. New York: New American Library, 1961. A satiric novel about the democratic process in America, first published in 1880. Henry Brooks Adams was the grandson of President John Quincy Adams.

Arendt, Hannah. *Crises of the Republic*. New York: Viking, 1974. A collection of four essays. See especially "Lying in Politics," which analyzes the Pentagon Papers case and deals with problems of public relations and image making in politics.

Boorstin, Daniel. *The Genius of American Politics*. Chicago: University of Chicago Press, 1953 (especially pp. 133-160). A revision of a series of public lectures delivered at the University of Chicago, this book presents a conservative interpretation of American political thought from the Puritans to the twentieth century.

Goldwin, Robert A., ed. *On Civil Disobedience*. Chicago: Rand McNally, 1969. A collection of essays on civil disobedience and the American tradition from Thoreau and Lincoln to the present. See particularly Martin Luther King's "Letter from a Birmingham Jail."

Heidenheimer, Arnold J., ed. *Political Corruption*. New York: Holt, Rinehart and Winston, 1970. A collection of readings on political corruption by scholars from a variety of disciplines, including political science, anthropology, economics, history, sociology, and law. Both Western and non-Western cultures are analyzed.

Hofstadter, Richard. *The Age of Reform*. New York: Knopf, 1955. A Pulitzer Prize-winning account of the Populist-Progressive tradition in American political thought from 1890-1940.

Lindsay, A.D. *The Modern Democratic State*. Oxford: Oxford University Press, 1947. A study of the modern democratic states that arose in Western Europe, Great Britain, and the United States in the nineteenth century. It includes an analysis of the relationship between morality and the political system.

Machiavelli, Niccolo. *The Prince*. New York: Penguin, 1961. Written in 1513 and published in 1532, this classic work argues that a ruler may use any means necessary to defeat his enemies and secure obedience from his subjects.

Niebuhr, Reinhold. *Moral Man and Immoral Society*. New York: Scribner's, 1932. This study by a famous twentieth-century Christian theologian includes an analysis of power, justice, and love and of the relationship of the individual to the state.

Riordan, William S. *Plunkett of Tammany Hall*. New York: Dutton, 1963. An account of the former New York City mayor and boss of Tammany Hall.

Rossiter, Clinton. *Seedtime of the Republic*. New York: Harcourt, Brace and World, 1953 (especially pp. 326-449). This book traces the origin and development of the American tradition of political liberty.

Sussman, Barry. *The Great Cover-up*. New York: New American Library, 1974. An account of the Watergate affair, from the time of the break-in to Nixon's resignation, by the city editor of the *Washington Post*. Sussman was the immediate supervisor of the Woodward-Bernstein investigative team.

Tawney, R. H. *Equality*. New York: Barnes & Noble, 1964. Written in 1931, this book by the British historian and social philosopher argues for a more equitable society based on the Fabian Society's democratic socialism.

Warren, Robert Penn. *All the King's Men*. New York: Harcourt, Brace and World, 1946. A powerful novel about a Southern demagogue whose career parallels in some respects that of Huey Long.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

Friedman, Milton. "Economic Myths and Public Opinion." *The Alternative*, January 1976 (pp. 8-9).

Genovese, Eugene D. "The Fortunes of the Left." *National Review*, December 1970 (pp. 1266-1270).

Kirk, Russell. "The Persistence of Political Corruption." *Center Magazine*, January/February 1974 (pp. 2-3).

"Notes on Watergate One Year Later." *Monthly Review*, May 1974 (pp. 1-6).

Russell, W.M.S. "The Wild Ones." *The Listener*, November 5, 1964 (pp. 710-711).

Wolfinger, Raymond E. "Why Political Machines Have Not Withered Away and Other Revisionist Thoughts." *Journal of Politics*, May 1972 (pp. 374-376, 383-385, 389-390, 395-398).

### Books

Hayek, Friedrich. *The Road to Serfdom*. Chicago: University of Chicago Press, 1944.

Morison, Samuel Eliot. *The Oxford History of the American People*. New York: Oxford University Press, 1965 (pp. 426-427, 490-491, 736-737). These pages trace the development of the spoils system in American history.



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## 7. Politics: The International Struggle for Power

### Learning Objectives

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#### To understand

the moral issues that arise because of the role of force in international relations  
the alternatives to force and their prospects for creating a new international order  
the prospects for the future of America's role in international politics  
the significance of foreign policy for domestic politics

### Overview

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The late Dean Acheson, President Truman's secretary of state, once remarked that it is a tricky business to introduce morality into foreign affairs. If this was the case some thirty years ago, it is even more so now. The last three decades have produced changes in the international scene that have had far-reaching politicoeconomic implications throughout the world and for the American domestic scene.

The end of World War II saw the emergence of the Soviet Union and the United States as the two superpowers of the world, and much of American foreign policy for the twenty-five years after the war was based on a policy of containment of the communist world. Containment was grounded on both a realistic conception that our interests could not be protected in a communist-dominated world and an idealistic conception of the moral superiority of Western democracy.

These same decades witnessed the emergence of new nations from colonial states, injecting a new dimension into world politics. These generally underdeveloped nations, the so-called Third World, turned to both the West and the Soviets in pursuit of their goal of economic development. Their underdeveloped status vis-a-vis the industrialized nations has resulted in the principle that "need creates right," a moral demand to rectify sociopolitical inequalities. The influence of the Third World countries in world politics is now greater than ever, in part because of their sheer numbers and in part because of their valuable resources, which are vital to today's interdependent world. The recent oil embargo by the Oil Producing and Exporting Countries (OPEC) was a painful reminder of our economic interdependence and of its impact on foreign policy formulation.

American involvement in Vietnam was a great blow to our moral leadership. The military and economic commitments it demanded, the policies and politics upon which it was based, the religious fervor with which it was defended, all exemplified the double aspect of America's

foreign policy. On the one hand, there was our single-minded idealism in defense of democracy as we conceived it; on the other, there was the fact that we were pursuing our own self-interests, both political and economic. The cost of this was not to be reckoned only in terms of money and lives lost, but also in terms of what it did to American morale. Very importantly it raised fundamental moral issues regarding the ends and means of our foreign policy as well as questions regarding the exercise of force, both at home and abroad.

The Nixon Doctrine of 1970, which took the position that "the postwar period in international relations has ended," changed our diplomatic policies with regard to Russia and China. Detente, the lessening of tensions between opposing powers, exemplified our new policy. But this did not mean a weakening of our defense posture. Our foreign policy today is a source of great contention and was one of the most hotly debated issues of the 1976 presidential campaign.

This unit explores and explains some of the very real problems that stand in the way of developing that moral vision that will enable us, as a nation, to cope with the moral dimensions of these new international realities. Many of the authors suggest that this new vision must be such that it will give us a renewed credibility with the rest of the world and enable us to regain our self-confidence and self-respect.

Robert Tucker's newspaper article and the first Reader selection by Tucker analyze the new international egalitarianism and the principle of self-help it expresses. He points out that these concepts, enunciating the sovereign right of the state to determine its own legitimate interests and to pursue them as it sees fit, raise the moral issue at its most basic level—the employment of force as a means to foster and defend these interests. And because in a threatening and threatened world the citizenry is more and more dependent on the state for security, the state can often command an almost blind allegiance and loyalty.

In a nuclear age when even so-called small wars can present a danger to the world, the pursuit of security raises the issue of the moral limits to the means that a statesman may employ on behalf of a nation's vital interests.

Richard Barnet discusses the problem of the terms on which America is to be involved in the international system. He claims that isolationism as a policy is not viable on either moral or self-interest grounds. Our present foreign policy still reflects resistance to anything that might undermine the maintenance of our old economic and military position. But this is a self-defeating policy in an increasingly, interdependent world, according to Barnet, because in many instances it has protected special interests and not the common good.

Hans Morgenthau discusses the effects of these new political realities in terms of their historical development. His claim is that America has declined both in power and credibility. Our world leadership was largely the result of the decline of the other Western powers and our development of military might. Curiously, though, the main reason for developing this might, the threat of communism, became an obsession that led us to support policies that undermined our moral position vis-a-vis the Third World. Tucker has pointed out that these countries are victims of a logical inconsistency in their insistence upon the principle of self-help while at the same time they demand economic aid from us as their right. Be that as it may, this does not excuse us, in Morgenthau's view, from developing a new moral vision that takes into account the new realities and also fosters a greater international cooperation and concern.

Joseph Kraft calls for something more modest. What he claims we need is not primarily a new vision but a greater sense of realism regarding our capacities both of will and resources to live up to the hopes we are already holding out to the rest of the world. To raise false hopes, Kraft argues, is as criminal as not raising any.

Several of the above discussions have dealt with the use of force as a means of statecraft. Certainly, the reality of war is something with which the twentieth century is all too familiar. Is war necessary? Is it inevitable? Reflection upon such fundamental questions are indispensable if we are to understand the moral problems connected with the use of force and what can realistically be done about them.

In 1966 Konrad Lorenz, a prominent scholar in the field of animal behavior, published a book titled *On Aggression*, in which he defended the thesis that human aggression is due to an innate instinct, something part and parcel of human nature. The controversy surrounding this thesis is still going on.

This theory of a biological basis for human aggression had been defended in the 1920s by Sigmund Freud.

While Freud had originally considered sexuality and self-preservation to be the two dominant instincts in man, he later recognized a new dichotomy or paired opposition. This he stated in terms of life instincts and death instincts. It is because of this death instinct, rooted in the human organism, that man is under the sway of an impulse to destroy either himself or others. This destructive tendency does not have to be triggered by an external stimulus or cause. Rather, it springs from an internal, ever-flowing fount of energy. Freud does suggest that the force of this death instinct can be reduced by the strengthening of human ties through love and by the growth of culture.

Evidence from the science of anthropology has played a prominent role in the arguments against Freud's thesis. In the next article, Bronislaw Malinowski claims that this evidence supports the thesis that all types of fighting are culturally determined responses. They depend, in the first place, on the gradual development of both economic and social reasons that will lead one group to exploit another and, in the second place, on the development of an effective organization to carry out and profit from the exploitation. If making war were a necessary aspect of human nature, that is, one necessary for man's evolution and survival, then there would be evidence of it from man's earliest beginnings. But such evidence is lacking, Malinowski claims.

However, this does not mean that man will not continue to make war and to employ force in the pursuit of ends. The next selection by Robert Osgood and Robert Tucker articulates the reasons for this. Given the ends that men and nations actually seek, force must remain an essential means of pursuing them. After all other methods fail, it alone is ultimate. And without force as a deterrent, vital interests would never be secure. Security itself is a complex thing, requiring diplomatic, economic, and moral force as well as military power. Is there a noble alternative to force? There is under one condition: namely, that men turn away from the goals they actually seek and desire instead goals that do not demand force. But this calls for nothing less than the moral transformation of man, according to Osgood and Tucker.

This unit concludes with a reflection by Reinhold Niebuhr on the selfishness of nations. He claims this self-centeredness results from a lack of the physical and spiritual contact with other peoples that is necessary for the development of our moral sensibilities. And given the nature of the state that molds its citizens into a corporate unity more through force and human emotions than through reason, an effective self-control attitude so necessary for moral vision is hindered from developing. In Niebuhr's view, the prospects for the growth of a global consciousness and global conscience are dim.

## Key Concepts

**Self-help:** A principle that states it is the right of the state to determine what its legitimate interests are, what threatens them, and what measures it may employ to protect them.

**Egalitarianism:** In this context, the belief in the sovereign equality of states that gives each state the unrestricted right of political, economic, and social self-determination.

**Third World:** The term for the generally underdeveloped countries in Asia, Africa, and Latin America.

**Isolationism:** The policy of maintaining a state's sovereignty and vital political, economic, and social interests without entering into alliances, involving rights and obligations, with other states.

**Force:** Any coercive pressure, usually of a violent kind, brought to bear on another with the intention of securing desired goals. If the coercion is nonviolent, the term *moral force* is used.

## Factual Review Questions

1. According to Tucker, what three conditions create a moral problem for international society?
2. What are the chief characteristics of the new international egalitarianism, as Tucker describes it?
3. What does Barnett think is the central issue regarding America's role in world affairs?
4. As Morgenthau sees it, why did the American commitment to anticommunism fail on both moral and political grounds?
5. What points to the moral exhaustion of the West, according to Morgenthau?
6. What does Kraft mean by "Wilsonian diplomacy," and why is he opposed to it?
7. What is the ultimate reason for war, in Freud's theory?
8. What does Freud think can help decrease the likelihood of war?
9. Why does Malinowski reject biological theories of aggression?
10. What is Malinowski's definition of war?
11. According to Osgood and Tucker, why is force essential to international politics?
12. Why is force justified, according to Osgood and Tucker?
13. Why do major powers feel compelled to protect their territory at places beyond their boundaries?
14. What does Niebuhr judge to be the basis and reason for the selfishness of nations?
15. Why does nationalism make the development of ethical attitudes difficult, if not impossible?

## Essay and Discussion Questions

1. Discuss Tucker's analysis of modern egalitarianism and your understanding of the problems it involves for arriving at a stable international order.

### Suggested Guidelines

- Review Tucker's newspaper article and his analysis of the principle of self-help.
- Analyze the claims found in the first Reader selection by Tucker.
- Consider Barnett's position on international involvement. What objection does it make to the isolationism that reliance on force seems to imply?

- Reflect on what you consider necessary in the present circumstances for a stable world order.

2. Discuss the notion that "need creates right" in regard to America's relations to Third World countries. What stance do you think we should take toward these countries, especially with regard to economic aid?

### Suggested Guidelines

- Review Tucker's discussion of egalitarianism.
- Consider the points raised by Morgenthau with regard to our position vis-a-vis the Third World.

- Reflect on Kraft's position about raising false hopes among these countries.
- Formulate guidelines you think are moral in dealing with underdeveloped countries.

**3. Détente is our current approach toward our relations with the Soviet Union. Discuss your understanding of this policy and give your evaluation of it in light of the readings in this unit.**

### Suggested Guidelines

- Consider what Morgenthau has to say about the political and moral failure of our anticommunist policy.
- Review Tucker's discussion of force and the balance of power.
- Outline what you consider to be the objections of détente and evaluate how viable you consider them to be in the light of the present realities.

## Suggested Reading

by Robert W. Tucker

### Articles

- Kennan, George F. "Foreign Policy and Christian Conscience." *Atlantic Monthly*, May 1959.
- Morgenthau, Hans J. "Love and Power." *Commentary*, March 1962.
- Oppenheimer, J. Robert. "In the Keeping of Unreason." *Bulletin of the Atomic Scientists*, January 1960.
- Wight, Martin. "Why Is There No International Theory?" In *Diplomatic Investigations*, edited by Herbert Butterfield and Martin Wight, pp. 24-34. Cambridge, Mass.: Harvard University Press, 1960.

### Books

- Butterfield, Herbert. *History and Human Relations*. London: Collins, 1951. A series of essays on history and historiography by the well-known professor of modern history at Cambridge University. See particularly the essay, "The Tragic Element in Modern International Conflict."
- Carr, E. H. *The Twenty Years Crisis, 1919-1939*. London: Macmillan, 1949. An overview of the diplomatic crises of the interwar years and of the confrontation between the major ideological blocs of capitalism, fascism, and socialism.
- Goldwin, Robert A., ed. *Readings in American Foreign Policy*. 2nd ed. New York: Oxford University Press, 1971. A collection of historical and contemporary sources on a wide range of problems involved in the conduct of American foreign policy. The essays deal with both the philosophic foundations and the practical applications of our international stance and diplomacy.
- Kennan, George F. *Realities of American Foreign Policy*. Princeton, N.J.: Princeton University Press, 1954. A series of four interpretative lectures by a noted American diplomat on how the conduct of foreign relations ought to be conceived and how we can best achieve our objectives of containment and liberation.

- Osgood, Robert E., and Robert W. Tucker. *Force, Order and Justice*. Baltimore: Johns Hopkins University Press, 1967. The role and rationale of force in today's international order.
- Thucydides. *History of the Peloponnesian War*. Translated by Rex Warner. London: Penguin Books, 1954. An account of the wars between the ancient Greek city-states of Sparta and Athens during the fifth century B.C. See Book 5, Ch. 8, "The Melian Debate," pp. 358-366.
- Weldon, T.D. *States and Morals: A Study in Political Conflicts*. New York, 1947 (pp. 216-280). A study of the ideological differences between states and the necessity of statesmanship in international affairs in order to avoid conflict.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

- Aron, Raymond. "The Anarchical Order of Power." *Dandelion*, Spring 1966 (pp. 479-480, 483-485).
- . "A Reply to Solzhenitzyn." *Encounter*, September 1975 (pp. 59-60).
- Avinieri, Shlomo. "An Exchange on Mideast Guarantees." *Foreign Policy*, Winter 1975/1976 (pp. 214-217).
- Laquer, Walter. "Fascism—The Second Coming." *Commentary*, February 1976 (pp. 59-62).
- Walzer, Michael. "Political Action: The Problem of Dirty Hands." *Philosophy and Public Affairs*, Winter 1973 (pp. 161-162, 174-180).
- Zorza, Victor. "Ping-Pong Philosophy Is Revised." *The Guardian*, June 30, 1966 (p. 11).

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## 8. Law and Morality

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### Learning Objectives

#### To understand

the bases for the relationship between law and morality  
the limits of that relationship  
the arguments for and against civil disobedience  
the issue and problems of legislating morality

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### Overview

The late chief justice of the Supreme Court, Earl Warren, stated that "in civilized life, law floats in a sea of ethics. Each is indispensable to civilization. Without law we should be at the mercy of the least scrupulous; without ethics law could not exist. Without ethical consciousness in most people, lawlessness would be rampant."

This unit deals with the questions and problems that arise because of the bond that exists between law and morals. On what is that bond based? What justifies it? We presuppose that each is indispensable to democracy as we understand it and practice it. But what does this imply for the individual's freedoms and obligations in our democracy? Law protects society and the individual, but what is included in its scope in the exercise of this function? Are private morals, for example, subject to law? In the name of ethical consciousness, may one disobey the law?

Warren stated that without ethics, law could not exist. Particular laws are rules. Some of them are legal prohibitions for moral injunctions, for example, the law prohibiting murder; others, like traffic rules, are not. But must the system as a whole fulfill certain standards if it is to be considered a morally binding one, imposing a moral obligation of obedience?

These questions are important in themselves as theoretical issues. But they are more than that, for there is a clear recognition of a crisis of law and morality in America today. This crisis has come about because of civil disobedience, societal and individual violence, and individual and institutional lawlessness. Several years ago, in 1971, the Association of the Bar of the City of New York chose as the theme of its centennial proceedings the topic

"Is Law Dead?" The issues raised in this unit help clarify some of the problems that make such a question possible and some of the reasons for resolving it in favor of the preservation of law.

The newspaper article by Lon Fuller makes the point that, though law and morality regulate human interaction, not everything can be decided by legal or moral principles. Nevertheless, the examples Fuller gives seem to indicate that in any particular situation calling for decision or the application of a standard, a sense of responsibility should be operative. With regard to the formation of a legal system as a whole, Fuller argues in his selection in the Reader that there are standards it must fulfill if it is to be a moral one, that is, one that imposes a moral obligation of obedience. These standards not only constitute the moral grounds of a legal system, they also make it possible for both citizen and government to be law abiding. This is because they establish mutual expectations for rights and duties. If this bond of reciprocity is broken, if there is a total failure in any one of the essential norms Fuller describes, the citizen has no moral obligation to obey the law.

One of the standards Fuller requires is that the law should not demand the impossible. Elsewhere in the chapter in Fuller's book from which this selection is excerpted, he observes that "our notions of what is in fact impossible may be determined by presuppositions about the nature of man and the universe." This observation, I believe, raises serious questions about the extent of the citizen's obligation to obey the law. Suppose one were to say that to obey a particular law is not possible because, for example, "it is impossible for me to violate my con-

science; it is impossible for me to choose the law of man over the law of God: it is impossible for me to condone immoral actions."

In Unit 6, Archibald Cox discusses four cases in which such appeals to individual conscience were made, and in which individuals claimed a moral right to disobey the law. These were appeals precisely to that ethical consciousness without which, in Justice Warren's words, lawlessness would be rampant. The next three selections of this unit deal with this vexing question of civil disobedience.

Eugene Rostow analyzes both the basis for the claim that civil disobedience is justifiable and the reciprocal issue of the rightful obligation of the citizen to the liberal society in which he chooses to live. The operative word here is *liberal*. In this context, a liberal society is a democracy based on *consent*: the individual agrees to obey the laws of the state, under the principle of majority rule, where, as an adult, he has freely decided to live. In such a society, the individual is granted the widest personal freedom and moral autonomy compatible with the preservation of that society. And it is the consent of the governed that is the source of the state's authority. Arguing that the United States is a constitutional democracy based on consent, Rostow takes the position that no right to civil disobedience can or should be acknowledged, for a free society is possible only where agreed restraints on freedom are duly accepted and observed.

The case for the right of civil disobedience is argued by Robert Wolff. His defense is based on a rejection of the concept of *de jure* authority, or the *right* to command and to be disobeyed. Of course, in our society *de facto* authority is operative; that is, the state's claim is accepted. But this is because individuals have not yet overcome the almost superstitious hold that authority has over them. Wolff states that the theory of democracy can be expressed in the proposition that "only a state founded upon the consent of the governed has *de jure*, legitimate authority." He concludes this theory is wrong because it is necessarily based on majority rule, which denies the autonomy of the individual. He takes the position of philosophical anarchism: Each individual must make himself the author of his actions and take responsibility for them. The only way to preserve this autonomy would be by unanimous decisions, and that is a practical impossibility.

A dramatic illustration of the pros and cons of the legitimacy of civil disobedience follows in the scene from the play *The Trial of the Catonsville Nine*. The names of the Berigan brothers, Philip and Daniel, are well known from their imprisonment. In the interchange given here, it is not the motives of the defendants that are in question, but their actions: the destruction of Selective Service rec-

ords. They defend their actions with the appeal to conscience and to a higher law to which they are bound—the law of love and justice. For them the act itself is not important; its meaning is, and that meaning is a protest against what is immoral and illegal, and it is an expression of the law of love and justice.

Next we turn to another aspect of the relation between morality and the law, namely, whether morality should be or even can be legislated. The selections by Lord Patrick Devlin and H.L.A. Hart concern the question of sexual morality.

Even if one were to argue that majority opinion regards homosexuality, prostitution, adultery, and the publication of pornography as immoral, the question remains as to whether these matters should also be regarded as criminal acts, subject to the restraints of law and to its punishments.

Lord Devlin defends the position that society has the right to pass judgment on moral matters by making laws and attaching punishments for their violation. He argues that there are some moral standards that are a part of a society's structure, and their violation cannot be tolerated. Devlin asserts that for a society to maintain its existence, some moral conformity, some shared moral values are essential. A society has the right to protect its survival and therefore to insist on conformity to these shared moral values. If one grants this premise, one must grant society the right to enforce laws protecting these shared moral values in the same way it does in other matters vital to its existence.

Hart responds that Lord Devlin's position is not sound because it rests upon a confused conception of what a society is. In the light of the conventional meaning of a society, it surely is absurd, according to Hart, to suggest that every practice the society considers profoundly immoral threatens its survival. Moreover, there is no historical evidence for this proposition. And even if one were to accept Lord Devlin's artificial definition of a society, why must the moral status quo be necessarily preserved? Why can it not change, perhaps for the better?

Shirley Letwin discusses what she considers the cause of the confusion about the relation of law and morality. To her, the question in the debate that is going on is improperly framed in terms of a conflict between individual morality and communal morality, individual liberty and the law. What this shows is a basic confusion about the nature of law. One must realize, she maintains, that there are two commitments involved in the notion of community: The first is a commitment to the preservation of the civil association that is the essence of community; and the second is a commitment to the preservation of the particular character peculiar to that association. And both



of these commitments are moral. They involve the notion that the shared life in community requires a common authority and a consensus concerning what is just and right, proper and fitting. The body of laws adopted by a society is, among other things, an expression of what a society considers itself to be, or its twofold commitment. It partakes intrinsically of the moral character of that committed vision.

In the last selection by John Silber, we are reminded

once again of Warren's statement that "without law we should be at the mercy of the least scrupulous." Silber analyzes an excerpt from Robert Bolt's play, *A Man for All Seasons*. This is the story of Sir Thomas More, the Lord High Chancellor of England, and his confrontation with Henry VIII. In the scene depicted, Sir Thomas defends the sovereign position of the law in society. Despite its shortcomings, it is a most valued safeguard against the vagaries of individual moral judgment and the tyranny of power.

## Key Concepts

**Liberal society:** As used here, refers to a democracy based on consent, in which the individual agrees to obey the laws of the state, under the principle of majority rule, where, as an adult, he has freely decided to live. This notion of democracy allows for the widest possible personal freedom and moral autonomy compatible with the maintaining of the society. The source of the state's authority is the consent of the governed.

**Authority: De jure**—the right to command and to be obeyed. **De facto**—the ability to get this claim to such a right accepted by those against whom it is asserted.

**Philosophical anarchism:** The position that rejects the claim of a state that it has the right to command and that its subjects have a binding moral obligation to obey. Posi-

tively, this position espouses individual *autonomy*, the right of each individual to act solely on the basis of reasons he can see and accept for himself to be good.

**Civil disobedience:** The challenging of the state's authority by deliberate acts of omission or commission that violate a statute or law. Traditionally, civil disobedience was seen in the context of the individual's conscience as pitted against the power and authority of the state. Personal convictions are given as reason for the disobedience. More recently, however, civil disobedience has also been seen as a societal and social phenomenon. Organized groups and sometimes whole segments of society engage in protests and actions directed against the legitimacy of the state's authority and in expressing a rejection of it.

## Factual Review Questions

1. What does Fuller mean by the "bond of reciprocity" between citizen and government?
2. What is the major premise of Rostow's argument for the obligation to obey valid law?
3. Why, according to Rostow, is there no freedom without responsibility?
4. What does Wolff mean by "philosophical anarchism"?
5. What is the basis of Wolff's argument in favor of it?
6. What is the central point of the defense in *The Trial of the Citizens of Nine*?
7. What is the central argument of the prosecution?
8. What position does Lord Devlin defend?
9. What is Devlin's main argument in defense of this position?
10. Why does Hart claim that Devlin's argument is not sound?
11. What position does Hart defend?
12. What is the source of the confusion that Letwin sees in the debate on the relation between law and morals?
13. Why does Letwin claim that our understanding of what it means to be "civil" includes a morality?
14. What does Thomas More mean by "I know what's legal, not what's right"?
15. Why does More choose what's legal?

## Essay and Discussion Questions

**1. In your opinion, is civil disobedience ever justified? Argue for the position you take.**

### Suggested Guidelines

- Review the positions taken by Rostow and Wolff.
- Evaluate the argument in favor of civil disobedience in Berrigan's play. Compare this with the position of Cox in Unit 6.
- Reflect on whether there is any issue or cause that could lead you to engage in civil disobedience.

**2. Compare Lord Devlin's defense of the enforcement of morals with Hart's rejection of it. Which position do you support and why?**

### Suggested Guidelines

- Review the arguments pro and con in the two relevant articles.

—Analyze Letwin's position. Which of the two sides do you think it seems to support?

—Reflect on Cox's argument in Unit 6 in favor of "virtual absolutes." Does it apply in this question?

**3. Should all able adult citizens be required by law to vote in major state and federal elections? Discuss the pros and cons of this issue. Give your own answer and your reasons for it.**

### Suggested Guidelines

- Consider Rostow's description of a liberal society and what, if anything, it implies regarding citizen participation.
- Consider Wolff's objections to the theory of democracy.
- Review Letwin's notion of civic commitment.

## Suggested Reading

by Lon L. Fuller

Durkheim, Emile. *Professional Ethics and Civic Morals*. Translated by Cornelia Brookefield. Glencoe, Ill.: Free Press, 1958. A discussion of the topic of civic morality by the French sociologist.

Fuller, Lon L. *The Morality of Law*. 2nd ed. New Haven, Conn.: Yale University Press, 1969. An analysis of the relation between law and morality with attention to both the nature of morality and the aims of the law. The discussion is enlivened by the use of anecdotes.

Golding, Martin P., ed. *The Nature of Law*. New York: Random House, 1966. A collection of readings in legal philosophy. See particularly the chapters, "Natural Law" and "Legal Positivism."

Gorecki, Jan, ed. *Sociology and Jurisprudence of Leon Patrzycki*. Urbana, Ill.: University of Illinois Press, 1975. A collection of essays on Patrzycki. The two most relevant are by Denzin, "Interaction, Law and Morality," and Ossowska, "Moral and Legal Norms."

Leiser, Burton M. *Custom, Law and Morality*. Garden City, N.Y.: Anchor Books, 1969. An introduction to problems in the philosophy of law.

Piaget, Jean. *The Moral Judgment of the Child*. Translated by Marjorie Gabain. New York: Free Press, 1965. An analysis of the moral development of children. See particularly Chapter I, "The Rules of the Game," and Chapter IV, "The Two Moralities of the Child and Types of Social Relations."

Rawls, John. *A Theory of Justice*. Cambridge, Mass.: Harvard University Press, 1971. Rawls presents a substantive theory of justice that is an alternative to traditional utilitarianism. He sets forth his principles of justice and proceeds to a discussion of such matters as the limits to majority rule, the justification of civil disobedience, the toleration of intolerance, and so on.

Rostow, Eugene V., ed. *Is Law Dead?* New York: Simon and Schuster, 1971. A wide-ranging collection of essays discussing the aims of our legal system and its adequacy for meeting the demands of our changing society.

Seagle, William. *The Quest for Law*. New York: Knopf, 1941. A cultural history of the law in action. See especially the entries in the index under "Morals and Law."

## Additional Suggestions

Recommended by Philip Rieff

### Articles

Cahn, Edmund N. "Freedom, Order and Law." *New York University Law Review*, January 1948 (pp. 58-61).

Dworkin, Ronald. "Lord Devlin and the Enforcement of Morals." *Yale Law Journal*, May 1960 (pp. 987-997, 1000-1002).

Kadish, Sanford H. "The Crisis of Overcriminalization." *The Annals of the American Academy of Political and Social Science*, November 1967 (pp. 159-163, 169-170).

### Books

Gert, Bernard. *The Moral Rules*. New York: Harper & Row, 1966; Harper Torchbooks, 1973 (pp. 114-115, 117-120). A contemporary moral argument for obedience to the law.

Plato. *Crito*. Translated by Benjamin Jowett (pp. 48-54). Plato's dramatic account of Socrates' reasons for obeying the law even though it meant an unjustified death sentence.



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## 9. Crime and Punishment

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### Learning Objectives

#### To understand

the moral issues involved in the question of punishment for crime  
the arguments for and against the need, utility, and justification of punishment  
the issues involved in the debate on capital punishment  
punishment and the penal system, its effects and defects

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### Overview

Many observers note that Americans are fascinated by crime. The popularity of television shows about detectives, private investigators, special crime prevention forces, and reformed criminals is adduced as evidence. And, it is said, those willing to admit it will often confess to rooting for the criminal to succeed in getting away with a crime, especially if it is the Robin Hood variety and/or carried out with cleverness and style.

The recent case of a convicted murderer who was demanding the right to have the court-imposed verdict of execution carried out as stipulated commanded national media coverage for weeks. There were those who volunteered to be on the firing squad and there were those who against the convicted murderer's wishes, were trying to prevent his execution.

Whatever those attitudes reveal about the American psyche in general, there is no gainsaying the fact that in our society today the issue of crime and punishment is a heated topic of debate. Many people find our big cities almost unlivable because of the rising crime rate and the violence. Before 1965 this country averaged between 7,000 and 9,000 murders a year. Since then the number has risen to over 20,000. The cost of maintaining our present prison population and of providing expanded facilities for almost 400,000 inmates equals the annual budget of most small countries. California, a state considered to be one of the most enlightened in regard to the penal system, spent an average of \$6,000 a year per inmate. The cost of police protection and other forms of crime prevention is also staggering. Clearly something must be done about crime. But what should we do, and how do we go about doing it?

This unit examines some of the approaches to the vexing questions of the causes and proposed remedies of

crime. It asks whether these causes are to be found in poverty, alienation, or other breakdowns of social institutions, or whether they are to be found in human nature, which is innately defiant and deviant. Is our system of justice too lax in imposing punishments with swiftness and sureness? Are offenders literally getting away with murder because society refuses to use the only effective deterrent it has—capital punishment?

One way or another, all these issues involve the moral dimensions of punishment of the criminal. Punishment is moral if it serves moral purposes. Are the purposes it actually serves in our society moral ones?

The newspaper article by Ernest van den Haag defends the position that punishment is a justifiable necessity in a society governed by law. Because man is by nature a defiant creature, punishment is needed as a deterrent to his defiance and violation of the law. This is especially true when such behavior is profitable. While the magnitude of the threatened punishment and the probability of suffering it are only two among the many factors that deter people from crime, van den Haag argues, they are factors that we can control. Studies show that punishment that is certain, meted out with regularity, and appropriate to the seriousness of the crime can significantly reduce the crime rate.

Does this mean that the most extreme punishment—the death penalty—is justified? On June 2, 1967 the last execution in this country of a convicted murderer took place in Colorado. At this writing, there are 418 men and 5 women on death row in prisons throughout this country. Of the 3,859 prisoners executed since 1930, the majority have been black and/or poor. A recent Gallup poll shows that 57 percent of the populace approves of capital punishment. On December 13, 1976 the Supreme Court cleared

the way for the execution of convicted murderer Gary Gilmore, the man who has demanded to die. These are facts and statistics: what are the issues involved in capital punishment? This is the subject of the next three selections.

Van den Haag takes the view in his Reader article that the death penalty is justified (moral) as a deterrent to murder. He argues that by applying the death penalty we might save further innocent victims of murder. Though it cannot be proven that the death penalty is more of a deterrent than other possible alternatives, it is a justified risk because by employing it we might avoid the risk of the deaths of future innocent victims.

David Conway analyzes van den Haag's wager argument. He argues that the question is put in terms of which risk one prefers—risking the lives of criminals or the lives of victims. But this is misleading, he maintains. The lives of criminals are taken, not risked. The real problem here is that this actual taking of lives is not balanced against the possibility that lives will be saved. There is no infallible proof of the deterrent effect of capital punishment that might warrant gambling with human lives.

Next follows a reflection on capital punishment by Albert Camus. He argues that the death penalty in our civilization cannot be justified because we have lost all possible rational defense for it. We have abandoned religious values and that belief in eternal life in the next world that views death not as a finality, but as a transformation to another life. According to Camus, God remains the only judge of the human heart: who among us is so free of guilt that he has the moral rectitude to arrogate the role of ultimate judge over the life of another? What right has society to deny to any individual, as long as he lives, his natural right to make amends?

In the next selection, Karl Menninger gives a psychotherapist's perspective of society's need to condemn and punish. He proposes a theory in terms of the "scapegoat." In the Old Testament, on the Day of Atonement, the high priest cleansed the people of sin by a ritual: The sins of the people were imposed upon the head of a goat, who

was then driven into the wilderness with this symbolic burden of sin and guilt. According to Menninger, our society, too, enacts a secular version of this rite. The criminal embodies for us our sins and guilts, actual and fantasized. By pointing the accusing finger at him and pronouncing a condemnation, we insure our own sense of personal righteousness in our own eyes and in those of others.

Whatever the source of this need to punish and however the need is interpreted, there does exist a very real penal system in America, geared to sequester the criminal from society and to punish him. Garry Wills asks what we think we are accomplishing with it. If it is meant to deter crime or rehabilitate the criminal, we are failing miserably. If it is revenge we are seeking, we do not even achieve that in any clear-cut way. For one thing, we recoil from the idea that we are vengeful. We prefer to choose vague language like "paying a debt to society." But who collects this debt and in terms of what? We accept the definition of a prison as a place where inmates are meant to suffer. But, Wills points out, the reality of prison is something we do not like to face.

If prisons do not deter or rehabilitate, what do they do that is socially useful? According to James Wilson, they achieve one practical objective: They protect society from the criminal for at least the time of incarceration. Wilson argues for mandatory sentences to reinforce the notion that crime does not pay; the criminal pays for it.

The concluding article by Judge David Bazelon challenges the assumption that tougher prison sentences will reduce crime. For one thing, tough sentences make very little impression on the ordinary street offender. If the young delinquent has no job, no opportunity for a better life, no close family ties, he has in reality nothing to lose. Why not turn to crime and take the risk? Bazelon does not maintain that poverty equals crime. What he argues is that it creates the conditions that make for street crime. The question is not what kinds of jail sentences will or will not reduce crime, but what reforms will reintegrate the youthful delinquent into human society in a humane way.

## Key Concepts

**Punishment:** As German philosopher Friedrich Nietzsche (1844–1900) pointed out, this concept embodies a whole synthesis of meanings. It is a means of prevention of further harm, recompense for harm done. It is a means of isolating a disturbance from society or of inspiring fear, an attempt at teaching a lesson for improvement or deter-

rence, a compromise with revenge. It is a war measure against an enemy of peace, a ritual enacted against a defeated enemy. And as Nietzsche pointed out, at various times various meanings come to the fore and dominate.

In general, there are three main positions or justifica-

tions offered in defense of punishment. The first is *retribution*, which argues that punishment is the just desert of the criminal; society has the right to repay evil with evil.

The second position holds that the aim of punishment is *rehabilitation*, or the process through which an individual who has been separated from society because of socially unacceptable behavior is again integrated into the group as a useful member of society. It implies a repentance or a change of attitude on the part of the individual.

The third position defends punishment as a *deterrent*. According to this theory, potential criminals will be dissuaded from crime because of their fear of the consequences, that is, certain punishment.

Retaliation is a *retributive* theory of punishment; the others are based on *utilitarian* arguments.

Yet another theory holds that punishment should be dropped and crime should be treated as a sickness.

**Capital punishment:** Punishment by death. In July 1972 the Supreme Court of the United States ruled that capital punishment as then applied was "cruel and unusual punishment" in violation of the Eighth Amendment to the Constitution, whose guarantees were extended to the states by the due-process clause of the Fourteenth Amendment. Since then, many states have rewritten their criminal statutes, and in 1976 the Supreme Court upheld the constitutionality of some of these state laws calling for the death penalty.

**Recidivist:** One who repeats a criminal act after having repented for it, made amends for it, or been punished for it.

### Factual Review Questions

1. Why does van den Haag claim that punishment is indispensable to make the threats of the law credible?
2. What is the main reason van den Haag offers for his view that the death penalty is justified?
3. Why does van den Haag reject statistical arguments against the death penalty?
4. Why does Conway find van den Haag's statement of the question misleading?
5. What condition does Conway demand be verified to justify capital punishment?
6. Why does Camus argue that our civilization has lost all possible rational defense for the death penalty?
7. Why does Camus consider capital punishment to be premeditated murder?
8. What does Menninger mean by "scapegoat"?
9. What three conflicting views of penal institutions does Wills discuss?
10. Why does Wills reject the notion that the punishment of prison is a deterrent?
11. Why does Wills reject the notion that prisons rehabilitate prisoners?
12. What, according to Wilson, do prison sentences actually achieve?
13. What does Wilson consider the most urgent reform needed to reduce the crime rate?
14. Why does Bazelon reject the notion that harsher sentences deter crime?
15. What does Bazelon regard as the central problem for achieving a reduction of the crime rate?

### Essay and Discussion Questions

1. Write an essay on your views about the meaning and purposes of punishment.

#### Suggested Guidelines

- Review the newspaper article and Reader selections by van den Haag, Menninger, and Wills.
- Pay attention to the various meanings of the word "punishment."
- Reflect on which meaning(s), if any, you consider valid for the purposes of protecting society.

2. Critically evaluate the arguments pro and con capital punishment. State your position and give reasons for it.

#### Suggested Guidelines

- Analyze the reasons, pro and con, found in the Reader selections by van den Haag, Conway, and Camus.
- Consider whether there are crimes for which you think the death penalty is justified. Give your reasons.
- Consider alternatives to the death penalty and whether they might better serve the *moral* goals of society.

3. Compare Wilson's position on the effectiveness of jail sentences with that of Bazelon. With which one are you in agreement, and why? If you reject both, what is your view of the issue?

#### Suggested Guidelines

- Contrast the two positions mentioned.
- Review the Reader selection by Wills on the actualities

of American prisons.

- Articulate your own view of the purpose of penal institutions.
- Review the pertinent discussions on the meaning and purposes of punishment.
- Do you really have an understanding of what prison life is like?

## Suggested Reading

by Ernest van den Haag

### Articles

- Benenson, Mark K. "A Controlled Look at Gun Controls." *New York Law Forum*, Winter 1968, pp. 718-748.
- Ehrlich, Isaac. "Participation in Illegitimate Activities: A Theoretical Investigation." *The Journal of Political Economy*, May/June 1973, pp. 521-565.
- Feinberg, Joel. "The Expressive Function of Punishment." *The Monist*, July 1965.
- Hall, Jerome. "Justice in the 20th Century." *California Law Review*, 1971.
- Shinnar, Reuel, and Shlomo Shinnar. "The Effects of the Criminal Justice System on the Control of Crime: A Quantitative Approach." *Law and Society Review*, Summer 1973, pp. 581-611.
- Singer, Barry F. "Psychological Studies of Punishment." *California Law Review*, March 1970, pp. 405-443.
- Tittle, Charles R., and Charles H. Logan. "Sanctions and Deviance: Evidence and Remaining Questions." *Law and Society Review*, Spring 1973.
- Tittle, Charles R., and Alan R. Rowe. "Fear and the Student Cheater." *Change*, April 1974.
- . "Certainty of Arrest and Crime Rates: A Further Test of the Deterrence Hypothesis." *Social Forces*, June 1974, pp. 455-462.
- Tullock, Gordon. "Does Punishment Deter Crime?" *The Public Interest*, Summer 1974.
- Waelder, Robert. "The Concept of Justice and the Quest for a Perfectly Just Society." *University of Pennsylvania Law Review*, Vol. 115, No. 1 (1966).
- Wilson, James Q. "Crime and the Liberal Audience." *Commentary*, January 1971, pp. 71-78.
- . "If Every Criminal Knew He Would Be Punished if Caught." *New York Times Magazine*, January 28, 1973, p. 9.
- . "Crime and Criminologists." *Commentary*, July 1974, pp. 47-53.
- Wolfgang, Marvin. "Seriousness of Crime and a Policy of lenient Justice." In *Crime, Justice and Society*, edited by James F. Short. Chicago: University of Chicago Press, 1975.

### Books

- Banfield, Edward. *The Unheavenly City*. Boston: Little, Brown, 1972. An explanation of the high crime rate of some groups in sociopsychological terms.
- Dostoyevski, Fyodor. *Crime and Punishment*. New York: Washington Square Press, 1972. In this classic, the author looks at crime and punishment in terms of sin and salvation.

- Kafka, Franz. *The Penal Colony*. New York: Schocken, 1948. A metaphoric presentation of deterrence.
- Packer, Herbert L. *The Limits of the Criminal Sanction*. Stanford, Calif.: Stanford University Press, 1968. An account of the purpose of criminal law. The author maintains that the criminal sanction is "the best available device" for "dealing with gross and immediate harms and threats of harm," but that it is not efficacious for enforcing morality.
- Van den Haag, Ernest. *Punishing Criminals: Concerning a Very Old and Puzzling Question*. New York: Basic Books, 1975. The author deals with the purpose of the criminal law and the effectiveness or ineffectiveness sought and achieved by punishing violators.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

- Bedau, Hugo Adam. "The Death Penalty as a Deterrent: Argument and Evidence." *Ethics*, April 1970 (pp. 209-213).
- Ehrlich, Isaac. "The Deterrent Effect of Capital Punishment: A Question of Life and Death." *American Economic Review*, June 1975 (pp. 397-398, 417-419).
- Rothman, David. "Of Prisons, Asylums, and Other Decaying Institutions." *Public Interest*, Winter 1972 (pp. 16-17).
- Sellin, Thorsten. "The Inevitable End of Capital Punishment." In *Capital Punishment*, edited by Thorsten Sellin. New York: Harper & Row, 1967 (pp. 246-249).
- Skoler, Daniel L. "There's More to Crime Than the 'Get-Tough' Approach." *The Annals of the American Academy of Political and Social Science*, September 1971 (pp. 35-36).

### Books

- Allen, Francis A. *The Borderland of Criminal Justice*. Chicago: University of Chicago Press, 1964 (pp. 32-35). The author argues that in practice, rehabilitation has often been quite cruel.
- Durkheim, Emile. *The Rules of Sociological Method*. 8th ed. Edited by George E. C. Catlin; translated by Sarah A. Solovay and John H. Mueller. New York: Free Press, 1938 (pp. 65-72). The author argues that crime is a "normal," ineradicable, and necessary part of every society.
- Stephen, James Fitzjames. *Liberty, Equality, Fraternity*. London: Smith, Elder & Co., 1873 (pp. 147-152). A classical analysis and defense of punishment.

## 10. Pornography and Obscenity

### Learning Objectives

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#### To understand

the moral issues involved in the debate about pornography and obscenity  
the arguments pro and con regarding the prohibition of pornography  
the arguments regarding the effects of pornography  
the moral implications of literary and artistic productions

### Overview

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In his address to the Swedish Academy upon receiving the Nobel prize for literature, American novelist Saul Bellow stated that writers today do not adequately represent mankind. In particular they do not represent American society. He said that "one can't tell writers what to do. The imagination must find its own path. But one can fervently wish that they—that we—would come back from the periphery" and recognize that people have an "immense desire for a return to what is simple and true."

The new Nobel laureate's remarks were made in regard to much of the current writing about sex, society, politics, and human nature, which he feels goes unchallenged because the people have let the intellectual establishment take over the arts and become dictators of popular opinion. What Bellow has to say is very pertinent to the issues of pornography and obscenity with which this unit deals.

The modern sexual revolution has also had its effects on literature and the arts. It has freed them from antiquated and puritanical restrictions as to what they were allowed to deal with and how. The arts, in turn, have become a powerful force in the cause of promoting the growth and fulfillment of human sexual potential.

What are the gains that have been achieved by this new freedom; what are the lessons? Has this new openness to saying and portraying everything been an expression of

what Americans truly need and want? Or have the ordinary people been victimized by self-appointed spokesmen, by an elite from the world of literature and art that lives only on the periphery of American life and does not really understand, nor perhaps cares about, what is at the core? Must any desire for what is "simple and true," in order to be genuine and authenticated, be confronted by an aesthetic that, in Peter Michelson's words, aims at using the ugly in human sexuality to expose "an implacable universe unrelieved by moral or spiritual design"? And is such an aesthetic justified in the name of moral revelation?

This unit explores such questions in the context of the meaning and significance of pornography in our society. It deals with the current debate about it and what this debate reveals in terms of the moral issues to be faced. To understand its full implications, it would be helpful to review Unit 2 on the issues of sex and society, as well as the selections in Unit 8 on legislating morality.

The newspaper article by John Sisk is an analysis of where we currently stand in the debate over pornography. He discusses the two conflicting visions prevalent. The one sees pornography and obscenity as a tool for alleviating the forces that frustrate our potential for growth and fulfillment, especially certain conventional notions about sex and family life, and for expanding our sexual horizons.

The other vision looks upon pornography as a destructive attack upon essential cultural values, which, if not checked, will subvert them.

In the first Reader selection, Sisk endorses the second view with his analysis of the use and significance of dirty language and pornography. While admitting there are positive aspects to it—it can shock us awake from our own dogmatic slumbers—ultimately, dirty language degrades a culture because it degrades both male and female. And this in the name of liberation.

What should society's attitude and response to obscenity and pornography be? The next two selections deal with this question. Walter Berns makes the case for censorship. He argues that what is seen and read in films, theater, art, and literature does affect people's lives. Knowledge is not neutral; it is instrumental in forming our ethical system. The way literature and the arts portray ideas and ideals of sex, family, and personal relations affects the way we look at these things. And if this view is damaging to the connection between shame and self-restraint, it is damaging to democracy. In line with what Eugene Rostow pointed out in Unit 8, self-restraint is essential to a liberal democratic society. Berns does not claim that the purpose of censorship laws is to encourage virtue by ending vice. Rather, they are intended to make vice difficult.

Marshall Cohen attacks Berns' position. In an approach similar to that used by H.L.A. Hart against Lord Patrick Devlin in Unit 8, Cohen maintains that pornography does not pose a dangerous threat to democracy as we know it. He is much more optimistic about the fundamental strengths of our society and has a respect for the instincts of public taste. It is the unwarranted intrusion upon and offense to this taste from pornography that Cohen would see regulated.

What do empirical studies have to say with regard to the effects of pornography on the populace? The report by W. Cody Wilson summarizes the findings of the U.S. Commission on Obscenity and Pornography of which he was chairman. None of their conclusions support the contention that exposure to pornography has harmful consequences for the public. In fact, a representative sample of American adults report that they have been helped rather than harmed by exposure to sexual materials. The commission recommended that legal restrictions that inhibit freedom of the press and of speech should be repealed.

The two selections that follow deal with a philosophic issue, the aesthetics of pornography. Aesthetics is that branch of philosophy concerned with the standards and criteria for judging literary and artistic productions. It is also concerned with the analysis of the concept of the

beautiful and the relation of art to the human mind. Aesthetics is thus also concerned with moral categories.

George Steiner emphasizes these moral dimensions. He finds pornography, as literary production, banal and boring. But as an attack on the meaning of human sexuality, he takes it very seriously. It represents an invasion, the ultimate invasion in this technological world, of one of the last bastions of personal privacy and sexual intimacy. Pornography makes a parody of sex and debases literature in the process. Literature, Steiner maintains, is meant to be a dialogue of revelation between writer and reader. In it the writer shows his respect for the sensibilities of his audience by the sensitivity of the way he expresses his ideas, however novel they might be. Truth has its style as well as its content. To neglect this reciprocity between artist and audience can result in the sort of contempt that pornography actually reveals. It leaves the reader less a person.

Peter Michelson, on the other hand, discusses the positive values of pornography. He recognizes it as a valid literary genre, which, when artistically written, serves as the literature of human sexuality. Thus, it is a way of knowing. The problem arises because of its subject matter—sex. People are unwilling to confront the ugly side of this subject. Reality forces it on us, as much as we would resist it. According to Michelson, it is only in facing the ugly, the fearful, the unromantic meaning of sex that we can be true to all the dimensions of our human sexuality. Life is, after all, a four-letter word.

Edward Mishan takes a position similar to that of Berns and Steiner. Asserting that pornography cannot be a part of the Good Life, he discusses what life would be like in The Pornographic Society, the society without sexual restraints. Mishan concludes that it would mean the death of those values we especially cherish—love, respect, personal fulfillment through responsible intimacy, cultural creativity, and progress.

Is censorship, then, the solution? Not according to Rabbi Arthur Lelyveld, who concludes this unit with his argument against legal censorship, the regulation of public morals and judgment of public taste. The limitation of freedom it involves is a greater evil than the evils it would try to prevent. For him, the question of pornography is a moral one. It should be dealt with by moral force, moral condemnation, not legal coercion. He notes that most legal authorities say it is impossible to come up with a workable definition of obscenity for purposes of legal censorship. But in a free society, the public can exercise a moral censorship; it can condemn, decry, and attack that which it finds an unwarranted invasion of its privacy by materials that are tawdry and nauseatingly vulgar.



## Key Concepts

**Obscenity:** A term referring to the quality of acts, language, and expressions that are judged to be offensive and disgusting and morally reprehensible. The word is commonly used in reference to sexual matters, though it has also a wider application to those acts that are particularly degrading and offensive to human dignity and rights or are against fundamental humane considerations. Thus the Mai Lai massacre would be considered by many an obscene act.

**Pornography:** Obscene literary, film, or artistic works. The legal test of whether a work is obscene, and as such not protected by the First Amendment, was laid down by the Supreme Court in *Roth v. United States* 354 U.S. 476 (1957). The following standards of obscenity were set forth: (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material

is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; (c) the material is utterly without redeeming social value. The difficulty of applying these standards to any particular work, especially in view of the third point, is evident.

**Censorship:** The legal action of examining literary, film, or artistic products and productions and judging whether they conform to standards of what is acceptable according to the mores and values of the society. Its object is to forbid publication or production of that which is judged objectionable to these standards.

**Aesthetics:** That branch of philosophy concerned with the nature, purposes, end, and standards for art and the analysis of the concepts of the beautiful and its relation to human knowing.

## Factual Review Questions

1. What two conflicting visions of pornography does Sisk discuss in his newspaper article?
2. How does Sisk view the significance of dirty language for society in his Reader selection?
3. From what question does the case for censorship arise according to Berns?
4. For what major reasons does Berns favor censorship?
5. What is Cohen's main argument against Berns' position?
6. What does Cohen think should be prohibited?
7. What final conclusion does the report of the U.S. Commission on Obscenity and Pornography, discussed by Cody, come to?
8. What does Steiner see as the most dangerous aspect of pornography?
9. What does Steiner see as the danger to the freedom of literature involved here?
10. What positive values does Michelson see in pornography in its best sense?
11. What does Michelson mean that pornography is a way of knowing?
12. What opinions does Mishan explore concerning the social consequences of the spread of pornography?
13. What is Mishan's conclusion regarding pornography?
14. On what basis does Lelyveld argue against censorship?
15. How does Lelyveld look at the problem of pornography, that is, from what standpoint?

## Essay and Discussion Questions

1. Write an essay on your understanding of the notions "obscene" and "pornographic."

### Suggested Guidelines

—Review the meanings and usages of these terms as they appear in the articles by Sisk, Berns, Wilson, and Steiner.

—Consider the way you use these words and examine the reasons why you use them with regard to certain actions or expressions. How are these notions related?

—Formulate definitions that you feel reflect your understanding of these terms.

2. Evaluate the arguments in favor of and against the censorship of pornography. Give your own opinion and the reasons for it.

#### Suggested Guidelines

- Study the arguments given by Berns, Cohen, and Lelyveld.
- Evaluate the importance of the report discussed by Wilson.
- Select the arguments for either position you think are convincing and consider why you find them so.

3. Mishan asks that we ponder the question of whether it is possible to unite unchecked public sexual indulgence with the continued progress of any civilization. Ponder this and give your answer and the reasons for it.

#### Suggested Guidelines

- Study Mishan's essay closely and the reasons he gives for his viewpoint.
- Review the selections by Steiner and Michelson as well as the two by Sisk.
- Consider what is meant by the "progress" of civilization.
- Review the notion of human sexuality and its meaning as discussed in Unit 2.

## Suggested Reading

by John P. Sisk

### Articles

Blumenthal, Ralph. "Porno Chic." *The New York Times Magazine*, January 21, 1973, pp. 28-34. A good account of the often profitable business of making pornographic films. Blumenthal also gives a sampling of favorable reactions from respected critics to the movie *Deep Throat*.

Burroughs, William S. "Playback from Eden to Watergate." *Harper's*, November 1973, pp. 84-88. Building on the theories of Wilhelm Reich, Burroughs argues that the attempt to close down sex films and censor pornographic and obscene literature is an effort "to use shame and fear as weapons of political control. Any approach to an edenic condition assumes getting beyond shame."

Elliott, George P. "Against Pomography." *Harper's*, March 1965, pp. 51-60. For Elliott the problem is how to mediate between the liberal suspicion of censorship and the conservative dislike of pornography. Convinced that "a certain amount of official hypocrisy is one of the operative principles of a good society," he proposes an approach that would at once protect the young and make pornographic materials available to needy adults.

Heller, Eric. "Man Ashamed." *Encounter*, February 1974, pp. 23-30. Working from an extensive and deep knowledge of the literature of Western civilization, Heller argues for a positive approach to shame. For him its close alliance with sexual transgressiveness is not the result of a dark conspiracy but the price of individuation. To abolish shame would be not to move toward utopia but to abolish man. (See pp. 28-30.)

Judson, Horace F. "Skin Deep." *Harper's*, February 1975, pp. 42-49. Judson argues that pornographic films and literature bring "a special kind of truth" and combine moral understanding with delight. Pornography has a redeeming social value, particularly in its capacity to counterbalance the pornography of violence with untaken lovemaking.

Pechter, William S. "Deep Tango." *Commentary*, July 1973, pp. 64-66. In this article, one of our most astute film critics relates the exploitation of the person in pornographic films to the potentially voyeuristic nature of motion pictures.

Steiner, George. "Cry Havoc." *The New Yorker*, January 20, 1968, pp. 106-115. A reassessment of the work of Louis-Ferdinand Celine, whose "scatological obsessions" and "infernal sociology" in combination with his powers of language have made him an important influence for such writers as Gunter Grass, Norman Mailer, William S. Burroughs, and Allen Ginsberg. Steiner calls attention to the disturbing possibility that great literary talent and moral bestiality may coexist in a writer.

Trevor-Roper, H.R. "Puritans—From Calvin to Castro." *The New York Times Magazine*, March 20, 1960, pp. 28, 90-91. Trevor Roper's argument is unacceptable to those who believe that sexual liberation is a necessary preliminary to a thorough remaking of society. A true revolution, as distinguished from a mere movement of reform, demands a heroic puritanism.

Trilling, Lionel. "The Fate of Pleasure: Wordsworth to Dostoevski." *Parkman Review*, 1963, pp. 167-191. A brilliant study of the modern ambivalent attitude toward the principle of pleasure and of the influence of Dostoevski's *Notes from Underground* in the development of "the perverse and morbid idealism" of the modern writer. (See especially pp. 185-191.)

### Books

Bruce, Lenny. *How to Talk Dirty and Influence People*. Chicago: Playboy Press, 1972. See especially Kenneth Tynan's enthusiastic endorsement of Bruce (pp. vi-xi) as one who "breaks through the barrier of laughter to the horizon beyond where the truth has its sanctuary." See also pp. 152-163 for Bruce's own defense of dirty talk as a means to emotional and moral health.

Cohn, Norman. *The Pursuit of the Millennium*. Princeton, N.J.: Princeton University Press, 1957. This study of medieval heresies is invaluable to students of the liberational and anarchic spirit in Western civilization. The section on the heresy of the "Free Spirit" (pp. 149-194) is particularly useful for those interested in the effort to see pomography and obscenity as means to personal or social salvation. (See especially pp. 185-194.)



- Cox, James M. *Mark Twain: The Fate of Humor*. Princeton, N.J.: Princeton University Press, 1966. In the vast body of Twain criticism, this study is noteworthy for its rejection of Huck Finn as a conscience-hero and the substitution of a Huck who wants to be relieved of the burden of conscience in order to play outside civilization (pp. 156-184). Such a Huck anticipates the pleasure-oriented sexual transgressiveness of magazines in the *Playboy-Penthouse* class. (See especially pp. 170-184.)
- Hill, Christopher. *The World Turned Upside Down: Radical Ideas During the English Revolution*. New York: Viking, 1972. This excellent study of the Puritan radicals in the early seventeenth century is important background reading for anyone interested in the modern effort to connect attacks on sexual morality with the revolutionary spirit. See especially the introduction, pp. 11-15, and the treatment of the Ranters, pp. 158-185, 247-260.
- Michelson, Peter. *The Aesthetics of Pornography*. New York: Herder and Herder, 1971. A full-scale attempt to establish the aesthetic, moral, and political value of pornography. Especially interesting when read in a context with the studies by Hill and Cohn, herein listed. See especially the treatment of pornography as moral rhetoric, pp. 88-107.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

- Rieff, Philip. "Aesthetic Functions in Modern Politics." *World Politics*, July 1953 (pp. 478-479).
- Robbe-Grillet, Alain. "For a Voluptuous Tomorrow." Translated by Richard Howard. *Saturday Review*, May 20, 1972 (pp. 44-46).
- Robinson, John. "Obscenity and Maturity." *Sunday Times Weekly Review* (London), December 11, 1969.
- Van den Haag, Ernest. "The Case for Pornography Is the Case for Censorship and Vice Versa." *Esquire*, May 1967. Reprinted in *Perspectives on Pornography*, edited by Douglas A. Hughes. New York: St. Martin's Press, 1970 (pp. 128-130).

### Books

- Clor, Harry M. *Obscenity and Public Morality*. Chicago: University of Chicago Press, 1969 (pp. 210-211, 225-227). The author argues that the obscene makes public what is properly private and transforms human acts into bestial ones.

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## 11. Science and Morals: Freedom of Inquiry and the Public Interest

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### Learning Objectives

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#### To understand

the moral relevance of the practice of science in the modern world  
the moral issues that arise from science as technology  
the role of the scientist in social issues

### Overview

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In general, the units that have preceded this one have raised moral issues in the context of the meaning of human dignity, freedom, and rights. Those issues are basic to ethical systems, which develop as responses to fundamental questions regarding the nature of human nature, the meaning of the Good Life, what promotes it, what is harmful to it.

If there is one aspect among others that can serve as a unifying point of inquiry regarding these questions, it can be found in the human activity of *knowing*. We speak of man as a *rational animal*, in part because, in Aristotle's words, "all men by the very force of their nature are driven by a desire to know." We tend to accept unquestioningly that the pursuit of knowledge is an essential part of what we mean by the Good Life. We generally accord this pursuit a freedom that is broader and more embracing than that allowed in any other areas of life, in part because we are convinced that the free pursuit of knowledge promotes the Good Life.

For twentieth-century man this pursuit is most directly and vividly associated with scientific activity. It is science that has played a major role in transforming not only our picture of the world, but also the way we live in it. The manipulation and control of nature now possible to us is wondrous indeed. But as the well-known scholar C.S. Lewis observed, "Each new power won by man is a power over man as well. Each advance leaves him weaker as well as stronger." It is here precisely in regard to science that the question of what actually promotes the Good Life and what is harmful to it comes in. For in the pursuit of scientific knowledge, one eats the fruit of the tree of the knowledge of good and evil.

Freedom of inquiry has always been a basic condition for the success of science. Without it creativity would wither and die. But in the context of the actual and future potential for harm now associated with our scientific-

technological progress, we are forced to ask the question, "What price freedom?" The well publicized analyst of the counterculture, Theodore Roszak, has made an observation that is very much to this point: "The search for knowledge must be a free adventure, yet it must not choose, in its freedom, to do us harm in body, mind or spirit. One no sooner states the matter in this way than it seems like an impossible dilemma. We are asking that the mind in search of knowledge should be left wholly free and yet be morally disciplined at the same time. Is this possible?" It is this question that the unit explores, along with the problems that it raises and the approaches to resolving the dilemma.

The newspaper article by Hans Jonas discusses the points of contact between science and morals. In the context of modern scientific discovery, theory and practice are so closely allied and at times merged that it can no longer be maintained that the sole aim of science is knowledge for its own sake. For one thing, the pursuit of science depends on technological developments for solving the problems it sets for itself. Secondly, the solutions to these problems invite new technological applications. Thirdly, the direction of scientific research is increasingly being set by problems that arise in industry and in the military. As Jonas points out, this is the reason these organizations support scientific research; without their support, most projects could never be carried out.

It is because the scientific enterprise involves action in the world that it raises moral issues and becomes subject to legal and moral constraints. According to Jonas, science as a disinterested quest for knowledge is a thing of the past. Science as a moral concern is the picture of the present.

By and large, science and technology are able to achieve progress because their practitioners have become an organized establishment. Francis Bacon (1561-1626) long

ago envisioned this as the best means to attain the "legitimate goal of the sciences—the endowment of human life with new inventions and riches." Lewis Mumford gives a brief historical survey of this organizational establishment and examines some implications of its present reality. He maintains that science has been co-opted by government and industry in their pursuit of the Baconian goal. And in thus becoming the servant of these organizations it has itself become a "technology of technologies." No longer a disinterested examination of nature, science has opted for the myth of power, fallen victim to the idea that "can implies right," that whatever science can do to manipulate and control nature, it should do. As a consequence, Mumford argues, broader human and humane goals have become subservient to the myth of power.

Mumford also points out that the greatest contribution of science has been our understanding of nature. The discussion by C.P. Snow illuminates why science is able to achieve this. Scientists are animated by a desire to find the *truth*, to find out what is there, what is the case and why. However, the essence of science lies not in the facts that it discovers, but in the *process* by which they are discovered. Facts are ethically neutral, but the process of discovery is not. It demands a respect for truth, that the means of discovery serve truth, that open communication test any particular approach. Snow maintains that this habit of truth is the built-in moral component of science.

Are there perhaps other virtues that are essential to scientific activity? Robert Sinsheimer discusses this question in the context of modern advances in genetics. Because of the far-reaching implications of research in this field, the limitations of our current knowledge and the irreversible nature of this sort of tampering with Nature, he argues for the value of *caution* as an essential virtue of scientific work.

Sinsheimer's admonition to caution has had an historical antecedent, namely, the great debate that led to the decision to build the first hydrogen bomb. This debate began in 1949 after the Russians had exploded their first atomic bomb, with opposing sides led by physicists J. Robert Oppenheimer and Edward Teller. As the Reader selection makes clear, Oppenheimer and his colleagues opposed the project because of what they saw as inherent dangers in its continuation. They felt it would extend the arms race, produce a weapon of limitless destructive power, and damage America's moral position in the world. The Teller faction supported the development of the super-bomb. They argued that if America did not go ahead, the Soviets would, and we would become a second-rate power. They also argued that undertaking this project

was morally no different from developing any other weapon.

The outcome of the debate is history: In January 1950, President Truman approved the project. Three years later, the first hydrogen bomb was exploded at Eniwetok atoll in the South Pacific. In 1954 Oppenheimer was declared a security risk, and a brilliant career was ended. The short statement by Teller given here is a declaration of the moral neutrality of the scientist with regard to the use that others might make of his work.

It was in 1940 that scientific teams began to be recruited for work in secret war laboratories. By 1943, when work on the atom bomb was begun, these teams, as one member, Herbert York, writes, "were quite unlike anything ever seen before in terms of both the talents and the numbers of people making them up." Since that time of all out war effort, science itself has been increasingly co-opted by both government and industry as a tool for their own organizational ends. This is true of both science as related to big industrial laboratories and of research that goes on at our major universities.

It is the implications of these developments for science and scientists that Jacob Bronowski discusses. His theme is "if science is to express a conscience, it must come spontaneously out of the community of scientists." He offers suggestions about how this can be best accomplished.

For Bronowski there are two moral categories involved in this expression of conscience: *humanity* and *integrity*. The first is bound up with the relation of the scientist to the industrial-military complex that supports the war-related research conducted in laboratories and universities throughout the country. Bronowski makes the option clear cut. The scientist who chooses to engage in war-related research should do so directly and should work for these organizations. Those who choose otherwise should cut their connections with these organizations and should not accept research money from them. Ultimately this is a choice between two moralities: the morality of government and the morality of science. For Bronowski they are incompatible. Note, however, they are both "moralities." What the morality of science demands above all is that integrity that upholds the free dissemination of knowledge throughout the entire scientific community and the prerequisite disassociation of research from the power arms of the state. Bronowski asserts that this openness and freedom of knowledge demands the disestablishment of science, that is, that science become independent of the state, free to establish its own research priorities and free to use its knowledge. In this way scientists can live up to the unique position they hold in modern society

with its obligation that scientists set an incorruptible standard for public morality.

The concluding article by Barry Commoner deals with science as an enterprise in behalf of the social good. Commoner makes the point that solutions to social issues involve value judgments. There are no objective scientific laws for them; they are a matter for all citizens to decide.

Since science has contributed to many of our present technological and ecological problems, scientists should recognize their duty to broaden their own views of the issues and implications, and to communicate their expertise to the public. It is not enough for the scientist to search for the truth and to know it; he must also actively recognize his social responsibility and participate in the achievement of desirable social goals.

## Key Concepts

**Science:** An open-ended, ongoing process of discovery directed toward understanding the bases, behavior, and interrelation of natural phenomena in the physical and biological realms and toward formulating general laws of explanation for phenomena. To accomplish this, science creates a connected set of concepts and develops methodologies for exploring them in the facts. If the consequences logically implied in these concepts are indeed revealed to be true to experienced fact, after the test of methodologically sound experiment, the concept is held to be true. The search then goes on for more embracing concepts and more embracing general laws or unifying points at which several laws intersect. The aesthetic

dimensions involved here include the encompassing beauty of simplicity, symmetry, and unity.

**Technology:** In general, the practical application of scientifically gained knowledge to solve mechanical, chemical, or biomedical problems or to achieve new goals and approaches to problems. Technologies develop the instruments not only for the application of research to problems and goals, but for the continuation of research and the development of new avenues of scientific exploration. Technology enables ideas to be translated into action.

**Recombinant DNA:** See p. 50.

## Factual Review Questions

1. What are the points of contact between science and morals, as set forth in the article by Jonas?
2. Why does Jonas maintain that scientific manipulation involves legal and moral restraints?
3. What, according to Mumford, is most fresh and original in Bacon's ideas?
4. What does Mumford mean by the "mythology of power"?
5. What is the doctrine of the ethical neutrality of science, as explained by Snow?
6. Why does Snow claim there is a built-in moral component in scientific activity itself?
7. Why does Sinsheimer suggest that caution may now become an essential scientific virtue?
8. What reasons did the General Advisory Committee (GAC) report give for not developing the hydrogen bomb?
9. How did President Truman react to the GAC report?
10. What does the position taken by Teller imply?
11. What two moral categories does Bronowski discuss?
12. What does Bronowski consider to be the incompatible moralities confronting scientists?
13. What does he mean by the "disestablishment of science"?
14. What is the dual crisis in society of which Commoner speaks?
15. What new duty does Commoner claim is demanded of scientists?

## Essay and Discussion Questions

**1. Write an essay on the implications and effects of the development of modern science on the freedom of inquiry traditionally accorded the scientist.**

### Suggested Guidelines

- Review the articles by Jonas, Mumford, and Commoner.
- Consider how technology relates to the activity of the scientist.
- Review some of the meanings of freedom that are found in the units "Law and Morals," "Politics: The Domestic Struggle for Power," "Pornography and Obscenity."

**2. Using the advantages of hindsight, describe what action you would have taken regarding the development of the hydrogen bomb if you had been in President Truman's place. Give the reason for your position.**

### Suggested Guidelines

- Evaluate the arguments against the project contained in the GAC report.

—Consider what you as a scientist would have done had you been asked to work on it.

—Reflect on whether developments in international politics since then have, in your mind, proved that decision right or wrong.

**3. Summarize and evaluate Bronowski's argument for the disestablishment of science. Do you agree or disagree with him? Give reasons for your answer.**

### Suggested Guidelines

- Outline the main points Bronowski wishes to make.
- Consider whether the options he states are too narrow or too exclusive.
- Reflect on whether this independence of science from the state would be feasible. Consider the Tucker and Osgood article in Unit 7 in this regard.

## Suggested Reading

by Hans Jonas

### Articles

- Boulding, Kenneth E. "What Went Wrong if Anything Since Copernicus?" *Science and Public Affairs*, January 1974.
- Jonas, Hans. "The Practical Uses of Theory." In *The Phenomenon of Life*. New York: Harper & Row, 1966. Dell Publishing Co., 1968.
- . "Responsibility Today: The Ethics of an Endangered Future." *Social Research*, Spring 1976.

### Books

- Bacon, Francis. *The Novum Organum*. Classic account of the philosophy of the scientific method. See especially the "Preface" and "Aphorisms Concerning the Interpretation of Nature and the Kingdom of Man."
- Barber, Bernard. *Science and the Social Order*. Glencoe, Ill.: Free Press, 1952. In Chapter X, "The Social Control of Science," the author argues that scientists should not bear sole responsibility for the social consequences of their activities and that social control of science ought to be assumed.
- Bronowski, Jacob. *Science and Human Values*. 2nd ed. New York: Harper & Row, 1965. The three essays in this book by the noted humanist-scientist present a clear analysis of the role of science and the scientist in modern society. The central thesis

is that the practice of science compels the practitioner to form for himself a fundamental set of universal values.

Glass, Bentley. *Science and Ethical Values*. Chapel Hill, N.C.: University of North Carolina Press, 1965. In Chapter 3, "The Ethical Basis of Science," this distinguished biologist looks at the relationship between modern science and ethics.

Jonas, Hans. *Philosophical Essays: From Ancient Creed to Technological Man*. Englewood Cliffs, N.J.: Prentice-Hall, 1974. See especially "Technology and Responsibility" and "The Meaning of the Scientific and Technological Revolution." A philosophical examination of the implications of technology.

Lobkowitz, Nikolaus. *Theory and Practice*. South Bend, Ind.: University of Notre Dame Press, 1967. See especially Part I, pp. 1-140, a study of the concept of science from Aristotle to Marx.

Morgenthau, Hans J. *Science: Servant or Master?* New York: New American Library, 1972. A volume in the Perspectives in Humanism series, this book examines the meaning of science for our times and its implications for the future.

Polanyi, Michael. *Science, Faith, Society*. Chicago: University of Chicago Press, 1973. See especially Chapter III, "Dedication or Servitude." A scientist-philosopher analyzes science in terms of its relation to larger human values. He sees science as supportive of individual liberty and tolerance.

Robert W. Reid, *Tongues of Conscience: Weapons Research and the Scientists' Dilemma*. New York: Walker, 1969. An analysis of the role played by scientists in warfare from the time of Alfred Nobel to the present, indicating how attitudes have changed from those of unconcern to those of intense political and ethical involvement.

Russell, Bertrand. *The Impact of Science on Society*. New York: Columbia University Press, 1951. The noted philosopher discusses the impact of science on our values and lives.

*Science and Its Public: The Changing Relationship*. Daedalus, Summer, 1974. This special issue of the journal of the American Academy of Arts and Sciences examines the relation of science to society from a variety of viewpoints and disciplines. See especially Emilio Q. Daddario, "Science Policy: Relationships Are the Key"; Don K. Price, "Money and Influence: The Links of Science to Public Policy"; and Edward Shils, "Faith, Utility and Legitimacy of Science."

Truitt, Willis H., and T. W. Graham Solomons, eds. *Science, Technology and Freedom*. Boston: Houghton Mifflin, 1974. A collection of essays on the role of science and technology in our society. See especially Part III, "The Moral and Political Issues."

United States Senate. *Genetic Engineering, 1975: Hearing Before the Subcommittee on Health of the Committee on Labor and Public Welfare*. Washington, D.C.: Government Printing Office, 1975. See especially April 22, 1975, No. 55-7240, "Examination of the Relationship of a Free Society and Its Scientific Community."

## Additional Suggestions

Recommended by Philip Rieff

### Articles

Campbell, Donald T. "On the Conflicts Between Biological and Social Evolution and Between Psychology and Moral Tradition." *American Psychologist*, December 1975 (pp. 1103-1104, 1120-1121).

Jonas, Hans. "Responsibility Today: The Ethics of an Endangered Future." *Social Research*, Spring 1976 (pp. 87-91).

Price, Don K. "The Scientific Establishment." In *Science and Society*, edited by Norman Kaplan. Chicago: Rand McNally, 1965 (pp. 278-279, 293-295).

### Books

Flugel, J. C. *Man, Morals and Society*. New York: Viking, 1961 (pp. 13-15). A consideration of the effects of modern psychology on our morality.

Juenger, Friedrich Georg. *The Failure of Technology*. Chicago: Henry Regnery, 1949 (Gateway edition, pp. 135-137, 139-140). The author links technology with the development of new mass ideologies.

Wells, H. G. *The Outline of History*. Garden City, N.Y.: Doubleday, 1949 (pp. 1193-1195). In this section from his history of the human race, Wells takes an optimistic view of the contributions of science to civilization.

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## 12. Science and Morals: The Ethics of Biomedical Research

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### Learning Objectives

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#### To understand

the moral issues raised by modern advances in the life sciences  
why these issues are of personal as well as social concern  
the context in which life and death decisions are actually made and the moral dilemmas that arise in making them  
some of the major issues still being debated and why they are so controversial

### Overview

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Unit 11 treated general questions of freedom, responsibility, and the conscience of the scientist. This unit will consider a specific set of ethical issues that have arisen because of technological advances in biomedical research.

The import of the life sciences, such as genetics, biochemistry, pharmacology, and bioengineering, has been of enormous significance. As Dr. Willard Gaylin, professor of psychiatry and law at Columbia Law School, has said, "The success of science has redefined its concerns. Its issues are now life and death itself, the modification of human behavior, the alteration of the 'nature' of man. It has transcended its original purposes and in the process of its success, its issues have ceased to be 'scientific' and have become moral and political!" This quote sums up nicely the major themes of this unit. The issues raised will call for tough personal decisions on the part of many people. For example, breakthroughs in genetic screening enable prospective parents to know the risks they may be taking of having a "defective" child. Amniocentesis, a process of fetal diagnosis, can now detect the presence of some sixty genetically caused defects, one or more of which may be present in the fetus of a pregnant woman. Couples can now choose abortion rather than having a child who is affected with Down's syndrome (mongolism). The same test can determine the sex of the fetus, and the couple can determine whether they want to "keep" it if it is not the sex of their choice.

Just down the road are the production of test-tube babies, personal selection of biological inheritance for one's progeny, and the screening and removal of so-called

criminal genes (XYY). Cloning, a process for producing identical cells or organisms, all descended from a single common ancestral cell or organism, holds out the prospect of turning out "xerox" copies of people. Recombinant DNA research, directed at interference in the natural process of gene transmission, offers the possibility of producing progeny with combinations of genes other than those that occur in the parents. Will these be genetic novelties, or will we call them monsters?

With regard to organ transplants, should "cadaver banks" be set up to remedy the shortage of available spare parts? After all, dead is dead; why not take the steps necessary to insure the preservation of vital organs for the living who might need them? Should you have something to say about this? Who is to define when death occurs?

If you are a patient in a hospital, should you be subjected to nontherapeutic experimental treatment, that is, to procedures aimed at new knowledge that will help others but is not directed to your illness? Does society have a moral right to claim this of you? With regard to therapeutic experimentation, that is, new procedures directed at your illness, what role, if any, should you have in the clinical decision regarding their use?

A noted historian of medicine, Pedro Lain Entralgo, has stated that the medical profession today is oriented according to three ideas: In principle there is no deadly, terminal disease, no inevitable disease, no incurable disease. What does this imply for our notions of the meaning of life and death? Is death a fact of life? Is death



the ultimate indignity from which we should be freed? Is there a right to die? Indeed, as Dr. Gaylin observed, the issues here are social and personal moral issues.

In his newspaper article, Hans Jonas raises the question of the rightful limits for science in the pursuit of the praiseworthy goals of human betterment through the elimination of disease and the enhancement of human potential. He goes on to give instances that illustrate Gaylin's contention that the issues have ceased to be scientific and have become moral and political. Such issues arise when there is a question of setting research priorities, allocating funds, and distributing the benefits of progress as well as the burdens in financial and above all human terms.

The first Reader selection by Jonas gets to the core of all such issues, namely, that it is the human being who is the subject of such research. Not only are the very processes of life being manipulated, but research has gone beyond the point at which animal subjects are of much use and the researcher must turn to human subjects. Thus we confront the question, "Is it possible to pursue such research and at the same time preserve the freedom and dignity of the human subject?" Essential to this is the notion of *informed consent*. Exactly what this involves is a matter of dispute, but what Jonas would see preserved in any event is the active will of the subject. To will something is to in some way identify it with one's purposes and priorities as well as to understand and accept its implications and consequences. Such a high standard does admit some gradations but its essentials must be upheld. Admittedly, upholding these will slow the progress of research, but this is the necessary price for the preservation of something more precious—freedom and human dignity.

Jonas makes the point that the sick, because of their vulnerability, are especially to be protected from being used. In any experimentation, concern for the sick individual must be primary.

Jonas also discusses the issue of "redefining" death in reference to organ transplants. The Harvard criteria published in 1968 define brain death in terms of "irreversible coma." For Jonas, this is not a maximal definition of death for transplant purposes. Since we do not know the exact borderline between life and death, nothing short of a definition that includes brain death, heart death, and other pertinent indicators will do.

An example of the issue of informed consent follows in the now highly publicized Tuskegee Syphilis Study begun in 1932. This long-term study of a group of black men left untreated for syphilis was judged in 1973 to be ethically unjustified. Informed consent as well as any scientifically valid objectives were lacking.

This case brings up the issue of what constitutes a valid

research protocol. This is a detailed outline of a research project that states its intent, usefulness, methodology, controls, and expected results. It is submitted to a peer review committee for discussion and approval before it can be initiated. Bernard Barber gives an example of such a protocol. Which box would you check?

The case of Karen Ann Quinlan was featured in countless newspapers, magazines, television newscasts, and talk-shows. In fact the extent of the publicity itself raised ethical questions about medical responsibility distorting a vital issue and thus not helping the public to make its own judgment on ethically sound reasons rather than sentiment.

This young girl of twenty-one had been celebrating a friend's birthday at a bar when she began to nod out. She was taken home and shortly after rushed to the hospital. Two days later she developed pneumonia and was put on a respirator. Five months later she was still in a coma, still on the respirator. Her parents, after much soul-searching and religious guidance, wished to take her off the apparatus against the wishes of her doctors, and they went to court for authorization. It should be noted that her comatose state was not that of "irreversible coma" according to the Harvard criteria. Thomas Oden discusses Superior Court Judge Robert Muir's decision. Muir denied the request on the basis that the court could not grant authorization that "life be taken from her. . . . Such an authorization would be homicide." Oden points out that the issue was not whether Karen Ann Quinlan was alive by all accepted medical and legal definitions, but whether, on the basis of her "quality of life," that life should be terminated. Who is to decide, and on what basis, that a particular life is expendable?

Judge Muir's decision was reversed by the New Jersey Supreme Court. An excerpt of their argument is given here. In sum, the court held that Karen Ann's parents could choose for her because of the peculiar circumstances of the case. This decision was based on an interpretation of a person's *right to privacy*, which the court held includes the right of self-determination regarding whether a specific treatment should be terminated.

California's Natural Death Act, enacted on September 30, 1976, embodies this right to privacy by recognizing the right of an adult person to make a living will. Such a will enables the testator to exercise control of his or her life even in circumstances in which the individual is so incapacitated that informed consent under any definition is impossible. This legislation is a *de facto* recognition of the right to die with dignity.

Hans Jonas, in the opening article in this unit, discusses what he sees as the necessity for a redefinition of death in regard to the issue of organ transplants. Jack Provonsha



discusses those other pertinent considerations that Jonas would have play a role in a redefinition. In a previous unit in this Study Guide, it was pointed out that ethical systems are a response to fundamental questions concerning man. They grow out of a matrix of cultural presuppositions. And in our culture, our Judeo-Christian tradition has played a crucial role in our cultural formation. Therefore, Provonsha maintains, these moral issues are essentially, Judeo-Christian issues, and they require Judeo-Christian answers. Provonsha develops a functional definition of "human" in terms of freedom and accountability for action. In line with Jonas' argument concerning human experimentation, he emphasizes that man is a creative agent. The value of a life diminishes proportionally to the loss of the unique human capacity to act and choose between options. Using this capacity as a criterion, he suggests that a system of relative values can be set up to give guidance in situations in which there are competing claims to life and life-preserving resources.

But this criterion must be supplemented by another. In looking for maximal criteria to set that line between life and death, Provonsha argues that attention must be paid to what the larger community means by "living" and "dead" and "human." So-called scientific criteria alone are not enough.

Is what we mean by "human" merely the result of a fact of Nature, an evolutionary accident that just happened to result in a particular species with certain species-specific genes? Need we remain what we are; should we not try to improve on the hit-and-miss nature of Nature's ways? These are some reflections suggested by the concept of genetic engineering. This unit begins with a

discussion of the moral issues of human experimentation. It concludes with a discussion of the ultimate type of such experimentation, the changing of man through genetic manipulation.

The late Hermann Muller was one of the leading advocates of genetic engineering for human betterment. Among other things, he advocated the creation of a sperm bank for the preservation and transmission of "superior" genes. The contributors would be individuals endowed with what are generally considered outstanding characteristics of mind and body. This bank would be available to enable prospective parents to choose the characteristics of the children they decide to raise.

Such a proposal might sound ideal, but what are some of the implications and problems that it raises? Apart from the fact that some biologists have disputed that such breeding is technically feasible in the near or even distant future, efforts in this direction are being made. As Robert Sinsheimer has already suggested, it is only caution now that can prevent unfortunate, irreversible tampering with natural processes. The concluding article by Jonas raises those moral issues that must come to the fore, given the enlarged scope of our powers over natural processes. The cautions he suggests are in the form of guiding principles. First, we must never presume that we actually do know and fully understand what constitutes human excellence. We must always leave room for what potentially can be because of the actual manifold possibilities inherent in the gene pool. And secondly, we must never violate the right of future individuals to authentic action that demands that each human life "finds its own way and be a surprise to itself."

## Key Concepts

**Genetics:** The scientific study of heredity, which is part of *molecular biology*. This is a branch of biology concerned with explaining biological phenomena in molecular terms. A *molecule* is the ultimate unit quantity or smallest portion of an element or compound that can exist by itself and retain all the chemical properties of that element or compound. The molecule *DNA* (deoxyribonucleic acid) is the basis of heredity. DNA molecules are the largest biologically active molecules known. According to the model developed by James Watson and Francis Crick, DNA forms a double helix, each strand of which is complementary to its partner. DNA is found in the nucleus of every living cell.

**Genetic intervention:** Any interference in the genetic constitution of an organism (*genotype*), as distinguished from the visible characteristic (*phenotype*). These physical appearances are the result of both heredity and environment. A wide variety of terms are used in regard to genetic interventions, for example, positive and negative eugenics, genetic therapy, genetic engineering, genetic surgery. Some eugenic interventions are used for therapeutic purposes, some for breeding purposes. *Eugenics* denotes an improvement in the kind of offspring produced.

**Recombinant DNA:** A mosaic of DNA fragments from different types of cells. The molecular biologist can reassemble these fragments and insert them into a host

cell. The DNA molecule will then become a permanent part of the organism's genetic complement.

**Brain death:** A criterion for determining when a person is functionally dead. In the so-called Harvard criteria standard for determining brain death, it is equated with "irreversible coma." The Harvard committee, which published a document on this topic in 1968, listed three

observable signs for brain death: unreceptivity and unresponsivity, no matter what the stimulus; no movements or breathing without artificial support; no reflexes. A wholly flat electroencephalogram (EEG) was considered confirmation of these signs. The Harvard criteria are currently widely used, but the whole issue is under discussion.

### Factual Review Questions

1. What are some of the disputable goals of biomedical research that Jonas discusses?
2. What are some of the conditions for informed consent, according to Jonas' first Reader selection?
3. Why does Jonas demand a maximal definition of death regarding organ transplants?
4. What are some of the moral issues involved in the Tuskegee Syphilis Study?
5. What, according to Oden, has popular American moral judgment not yet learned to do?
6. Why did Judge Muir deny the petition of Karen Ann Quinlan's parents?
7. For what main reason did the New Jersey Supreme Court overturn Judge Muir's decision?
8. What right does California's Natural Death Act recognize?
9. Why does Provonsha insist on a Judeo-Christian solution to the problem of what we mean by *human*?
10. What human capacity does Provonsha see as central in this matter?
11. What does Muller mean by genetic betterment?
12. What means for achieving it does Muller suggest?
13. Why is human experimentation in genetics so fraught with dangers, according to Jonas?
14. What three types of biological control does Jonas distinguish?
15. Why, ultimately, does Jonas rule out direct tampering with human genotypes?

### Essay and Discussion Questions

1. If you were asked, would you volunteer to be a subject in biomedical research if the problem being investigated did not directly serve your health needs? Suppose it did or that it served the needs of a close relative? Discuss this hypothetical situation and give the reasons for your response.

#### Suggested Guidelines

—Review the articles by Jonas and pay special attention to the meaning of informed consent.  
—Consider the protocol given by Barber and the reasons why you chose a particular response.  
—Reflect on whether society has any moral claim to your participation. You might review the article by Judith Thomson in the unit on abortion.

2. If you were the judge in the Karen Ann Quinlan case, how would you have decided and why?

#### Suggested Guidelines

—Review the Reader selections by Jonas (the first one), Oden, the New Jersey Supreme Court, and Provonsha.  
—Consider the arguments pro and con that you consider the most weighty.  
—Reflect on what you would want done to you if you were in her position.  
—Read the provisions of the Natural Death Act. Consider whether you would make such a living will and your reasons.

**3. Discuss the pros and cons of genetic engineering directed toward the "betterment" of man. To which position do you incline and why?**

**Suggested Guidelines**

—Review the three articles by Jonas and the one by Muller.

—Distinguish the various types of genetic intervention.  
—Reflect on what you consider ideal characteristics for the children you would want to see brought into the world.  
—Balance these with the realities you see of your own children or of children in your family. Do you wish they were different?

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**Suggested Reading**

by Hans Jonas

**Articles**

- Chorover, Stephen L. "Big Brother and Psycho-technology." *Psychology Today*, October 1973.  
Simonaitis, Joseph E. "Recent Decisions on Informed Consent." *Journal of the American Medical Association*, July 24, 1972; June 25, 1973; and July 2, 1973.  
Watson, James D. "Moving Toward Clonal Man: Is This What We Want?" *Atlanta Monthly*, May 1971.

**Books**

- Becker, Ernest. *The Denial of Death*. New York: Free Press, 1973. A study of man's innate fear of death and his attempts to transcend it through such expressions as heroism, narcissism, religion, and even neurosis.  
Delgado, José M. R. *Physical Control of the Mind: Toward a Psycho-analyzed Society*. New York: Harper & Row, 1969. An internationally respected neurophysiologist describes his own research in various aspects of behavior control through the implantation of electrodes, and he evaluates the ethical and social implications of electrical control of behavior.  
Freund, Paul A., ed. *Experimenting with Human Subjects*. New York: Braziller, 1970. A collection of essays on the subject from a variety of disciplines and viewpoints that was originally published as an issue of *Dialectica*.  
Jonas, Hans. *Philosophical Essays: From Ancient Greco to Technological Man*. Englewood Cliffs, N.J.: Prentice-Hall, 1974. A collection of essays, some of which have been excerpted in the Reader, *Moral Choices in Contemporary Society*. See especially "On Experimenting with Human Subjects," "Comments on the Definition and Redefinition of Death," "Biological Engineering," and "Contemporary Problems in Ethics from a Jewish Perspective."  
Katz, Jay, et al. *Experimentation with Human Beings*. New York: Russell Sage Foundation, 1972. A comprehensive, thoughtful examination of the concept of human experimentation. A variety of perspectives, including those of the researcher and of the subject, are presented.  
Lewis, C. S. *The Abolition of Man*. New York: Macmillan, 1947. A series of three articles in which Lewis defends traditional morality against its debunkers.  
Ramsey, Paul. *Fabricated Man*. New Haven, Conn.: Yale University Press, 1970. A discussion of the problems associated with new or imminent powers of genetic control. The volume is divided into three sections: "Moral and Religious Implications of Genetic Control," "Shall We Clone a Man," and "Parenthood and the future of Man by Artificial Donor Insemination." Ramsey is a professor of religion at Princeton.

- \_\_\_\_\_. *The Ethics of Fetal Research*. New Haven, Conn.: Yale University Press, 1975. A study of the ethical and legal implications of experimentation on still-living human fetuses.  
Rosentfeld, Albert. *The Second Genesis: The Coming Control of Life*. New York: Arena, 1972. The science editor of *Life* magazine surveys the philosophical and moral dimensions of anticipated biological and sociological developments such as widespread birth control, artificial insemination, organ transplants, and the postponement of death.  
*Science News*, March 22, 1975. Special Issue: "Decision at Asilomar." A report on the spring 1975 meeting of an international group of molecular biologists and their decision to draft a sociopolitical and ethical statement about the future of genetic research.  
Skinner, B. F. *Beyond Freedom and Dignity*. New York: Knopf, 1971. The noted Harvard psychologist argues that we must revise our traditional notions of freedom and dignity and develop a technology of behavior control as powerful and accurate as our physical and biological technologies.  
Solitto and Vestch, compilers. *Bibliography of Society, Ethics and the Life Sciences*. Hastings-on-Hudson, N.Y.: Institute of Society, Ethics and the Life Sciences, 1974 and 1975. A comprehensive bibliography.

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**Additional Suggestions**

Recommended by Philip Rieff

**Articles**

- Fletcher, John. "Human Experimentation." *Law and Contemporary Problems*, Fall 1967 (pp. 633-634, 646-647).  
Freund, Paul A. "Ethical Problems in Human Experimentation." *New England Journal of Medicine*, September 23, 1965.  
MacIntyre, Alasdair. "How Virtues Become Vices." *Encounter*, July 1975 (pp. 15-17).  
Szasz, Thomas S. "The Moral Physician." *Center Magazine*, March/April 1975 (pp. 2-3, 9).

**Books**

- Hilton, Bruce, et al., eds. *Ethical Issues in Human Genetics*. New York: Plenum Press, 1973. A collection of papers by physicians, lawyers, ethicists, theologians, and geneticists gives varied perspectives on the implications of advances in genetics. See particularly the article by Daniel Callahan, "The Meaning and Significance of Genetic Disease," pp. 88-90.

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## 13. The Morality of Work and Play

### Learning Objectives

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#### To understand

the meanings and interrelations of work and play and sports  
why work and play are moral issues in themselves  
the concept of leisure and its special functions  
the personal dimensions of these issues

### Overview

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Many of the central moral issues discussed in this course revolve around human dignity and freedom. To be truly human means to realize one's individual nature and to fulfill one's human capacities in harmony with each other. A person is a self-defining being in the sense that each individual seeks this realization and fulfillment through enacting certain role patterns, engaging in certain activities and modes of self-expression. In the amount of time and dedication invested in them, work and play must surely be the most prominent among these self-defining activities. In fact, to ask who a person is is almost always equivalent to asking what a person does.

It should be expected, then, that activities that occupy much of our working life involve significant moral dimensions. But it is important that this be properly understood. Most evidently, moral issues are raised by what we might term the external aspects of work and play: They involve observing honesty, standards of expected performance, and relations to justified and moral ends. But there is also an ethic to work and play in themselves, apart from considerations of their effects. Because they are *human* activities, springing from human consciousness, drives, urges, and purposes, they are *moral* activities. Engaging in them affects the way we are, the way we develop. In this sense they are very important elements of self-definition.

The purpose of this unit is to help clarify the human significance of work and play in terms of their human meanings, their contributions to personal development,

and the dangers and detriments to that personal development that they involve.

Martin Marty's newspaper article sets some of the modern problems of work and play in historical and current perspective. Pointing to the religious associations they conjure up, he suggests that loss of these religious aspects may be responsible for many of the discontents and *dis-eases* or sense of general restlessness of modern civilization. The religious dimensions were highly personal ones; they involved a personal salvation, a sense of place in this life, and a striving for happiness in the next. Much of the work and play that people engage in today, Marty argues, has a depersonalizing effect on them. Self-expression has turned into alienation in work and compulsion in play. What is needed as a corrective is a reevaluation of work and play in the sense of restoring their *human value* and role in personal development.

In the first Reader selection, Richard Burke undertakes to define work and play and to show how, when properly understood, their true significance in, and for human existence is revealed. Again, as stated before, the meanings of things should not be understood only in a mental or conceptual sense; meaning is a unifying tendency, a means of actual coping in life. This is why work and play involve significant moral dimensions.

One of the main obstacles in the way of a proper understanding of these activities is the tendency to view work and play in terms of contrast or even contradiction. Other aspects of this tendency will be discussed later in

Josef Pieper's article. What Burke strives to do in his analysis is to show that work and play are complementaries, that there is a unified and uniting aspect to them that almost merges their purposes and contributions to the *wholeness* of human existence. Another word for wholeness is *integrity*. In line with the definition of meaning given above, to be integrated, to be integral, is to be unified, united to a whole. Thus meaningfulness, wholeness, and integrity are interrelated aspects of the complementary activities of work and play. And so Burke concludes his analysis with a statement of his formula for utopia: "a community in which everyone plays at work and works at play."

The short excerpt by Max Weber highlights the theme that "nothing is worthy of a man unless he can pursue it with passionate devotion." Though this theme is developed in the context of the necessity of specialization for creativity in the pursuit of knowledge, it naturally leads to reflection on some of the not-so-creative aspects of misplaced passionate devotion. The discussion by Nicholas Lemann is a case in point. He reflects on the dangers of the passion of ambition in the pursuit of success. When "making it" becomes a consuming drive, what happens to idealism, sense of community, moral consciousness? Lemann gives his view of what happens, and he does this in the context of the special dangers presented by living in a metropolitan area as contrasted with the small town or community in which one develops cultural and familial roots.

Lemann was speaking of the upwardly mobile member of the work force. What happens to the factory worker who not only lacks the opportunity for this mobility, but whose work is calculated to produce anything but passionate devotion? Several recent television programs have highlighted the sense of alienation and depersonalization attendant upon the modern automated production line. The term most often used in reference to the repetitious monotony involved was "mind deadening."

Daniel Bell explores some further implications of automation for the postindustrial society. Automation in industry as described here goes beyond the automatic reactions associated with the production-line worker. In postindustrial society, it involves the replacement of even this minimum direct personal though depersonalizing participation in the production process. With the achievement of automation, all the worker need do is push a button and observe the process. For Bell there are both positive and negative aspects to such developments. For one thing, the worker is provided with a greater inter-factory mobility and the possibility of working at several different stages of the production process. But on the negative side, we have the nagging question of what is

there to constructively feed the fantasy of the idle mind that such automation will bring about? Simone de Beauvoir's discussion in Unit 5 is very apropos in this context.

From industrial work we turn to sports, or, more accurately, to the work of sports. Friedrich Juenger draws a provocative parallel between technology and its processes and modern organized sports. Mechanization, technique, automation, teamwork, specialization, and economic incentive characterize the modern industrial process. These same factors are just as evident in organized sports, even down to the vocabulary used. Juenger also laments the subversions of aesthetic and ascetical standards that are involved. The exaggerated musculature of the modern professional athlete is a perversion of the ideal of the sound and beautiful body. The ascetic discipline imposed for ephemeral goals is a mockery of religious asceticism.

Gary Shaw's personal account of what it is like to be an athlete—be it in college or professional ball—illustrates some of Juenger's contentions. First there is the industrial vocabulary: mechanical, well-oiled, forty-hour week, teamwork, work break, and so forth. Next, and more significantly, is the perversion of spiritual values like discipline, renunciation, guilt. Ultimately the motivation for undergoing all this physical and mental hardship is the pursuit of success and both emotional and financial security.

The selection from Lance Rentzel's book reveals his personal feelings about the importance of being part of a team, all of whose members are working toward the same goal. The values he sees of close camaraderie, understanding fellowship, and mutual support were all significant aspects of his recovery from personal near disaster.

The concluding selection from Josef Pieper is an analysis of the meaning of leisure. In line with the theme of Burke's article, Pieper shows the historical basis of our erroneous conception that work contrasts with leisure and that we work in order to have leisure. This leads to a misconception of the real meaning of leisure. In Pieper's analysis, leisure is a means of opening oneself to life's enriching possibilities. Leisure is a form of *celebration*. The Latin verb from which this word is derived means, among other things, "to fill up with something; to solemnize; to affirm and recognize the importance of something."<sup>1</sup> In this sense, then, leisure is a turning of the inner self toward contemplation of one's place in the interrelated wholeness that is the world. It is a vision of the meaning of self in terms of the broader vision of God's creative act. Thus leisure, properly understood and engaged in, serves the purpose of enabling a person to attain integrity and wholeness, both within and in relation to the totality of reality.

## Key Concepts

**Protestant ethic:** A term coined by German sociologist Max Weber to characterize the major elements of the relationship between the motivation to work and the development of industrial capitalism. Weber's analysis places the roots of this ethic in Protestant theology, which he argued is the source of those moral attitudes that stress hard work, frugality, cooperative self-restraint. These standards he judged to affect the major part of the American population.

**Classical liberal ethic:** A term used for those middle-class values that set the tone of American society in regard to work and capitalism. It rejects a theological basis to American work attitudes—economic achievement, personal responsibility, income incentive—and sees these values as arising from a defense of middle-class interests and consequently of capitalism. The work class refers to

people who occupy the same rung on the economic ladder.

**Mobility:** A term used to refer to the movement of individuals. *Economic and social mobility* refer to movement on the economic and social ladder and generally connote the availability of opportunities for advancement and the absence of barriers, such as castes or class lines. *Geographic mobility* refers to movement from one place to another; it is often undertaken in the hopes of achieving economic and social mobility.

**Work, play, sport, leisure:** The analysis of these concepts is the subject of several essays in this unit. They are complex and interrelated concepts according to the authors of these discussions. To this extent, they are open-ended concepts, subject to amplification and modification.

## Factual Review Questions

1. Why, according to Marty, have work and play usually been associated with religious ideas?
2. Why does Marty think people feel alienated in their work?
3. In Burke's analysis, what common features do work and play share?
4. What is Burke's formula for utopia?
5. What, in Weber's view, is the importance of specialization?
6. What does Lemann mean by "mobility ethic"?
7. What are some of the advantages of smaller communities according to Lemann?
8. What are some of the advantages and disadvantages Bell finds in automation?
9. What does Bell mean when he says that work has a deeper "moral unconscious" than the normative conceptions he speaks of?
10. List some of the parallels that Juenger draws between sports and technology.
11. Why does Juenger maintain that there is a peculiar sterility in sports today?
12. What are some of these technological parallels that you detect in Shaw's article?
13. How does Rentzel's attitude toward football differ from Shaw's?
14. Why does Pieper reject the position that we work in order to have leisure?
15. What does Pieper maintain is the justification and whole point of leisure?

## Essay and Discussion Questions

**1. What roles do work and play fulfill in your life? How do you view them as means and/or ends of realizing your personal goals?**

### Suggested Guidelines

—Review the discussions by Burke, Lemann, Juenger, and Pieper.

—Consider how you view the sort of work you engage in and the reasons why you engage in it other than to make a living.

—What do you do for recreation for the most part, and why?

—What do you hope for out of life?



2. Write an essay giving your attitudes about modern professional sports, including intercollegiate competition. Argue for or against the roles these activities play in modern society.

#### Suggested Guidelines

- Review Burke's definition of play and the articles by Juenger, Shaw, and Rentzel.
- Consider which sports events you view and why.
- Reflect on the organization of the sports world and whether you approve of it or think it needs change.
- If you had or have children, would you want them to be professional athletes?

3. Discuss the issue of whether full automation of industry would be a blessing or a bane to modern society.

#### Suggested Guidelines

- Review Bell's article on automation, its advantages and disadvantages.
- Reflect on Pieper's definition of leisure and what it means for the use of free time.
- Consider what you would do if you had more free time from work. What do you think most people would do?

### Suggested Reading

by Martin E. Marty

- Ahlstrom, Sydney E. *A Religious History of the American People*. New Haven, Conn.: Yale University Press, 1972; and Garden City, N.Y.: Doubleday, 1975. Now available in paperback, this is the big and basic work that anyone who wants to understand the religious background to American culture should consult. While it does not accent the world of work and play, that world is not comprehensible without some outline of the main events in the religious past.
- Anderson, Nels. *Work and Leisure*. Glencoe, Ill.: Free Press, 1961. Anderson packs an enormous amount of data on the interacting worlds of work and leisure into 200 pages, and threads it all together in a way that it will guide people into more complicated understandings.
- Caillois, Roger. *Man, Play and Games*. Glencoe, Ill.: Free Press, 1961. One of the best-known modern interpretations of the part play plays in shaping a healthy culture. Caillois has been a strong influence on other theorists and observers.
- Cox, Harvey. *The Feast of Fools*. Cambridge, Mass.: Harvard University Press, 1969. A famous "mod" theologian offers a Christian defense of play and leisure, informed by biblical, medieval, and philosophical inspirations. Excellent therapy for those who in a reminiscently Christian culture associate religion only with the grim and dour elements of work life.
- De Grazia, Sebastian. *On Time, Work and Leisure*. New York: Doubleday, 1962. Time is the dominating theme of this thoughtful work in which the author shows its impact on the conception of life, especially as it relates to work and the absence of work to leisure used and misused.
- Dulles, Foster R. *A History of Recreation: America Learns to Play*. running jump through the fields of American play: the span of three centuries provides perspective on present-day amusements.
- Gellner, Ernest. *Thought and Change*. Chicago: University of Chicago Press, 1964. A rather difficult but cleverly written argument about modern philosophy as it derives from industrialization: a study of the processes of change in the human landscape and in mental processes.

- Herzberg, Frederick. *Work and the Nature of Man*. Cleveland and New York: World Publishing Co., 1966. While the author is really laying the ground work for his own psychological theories and findings about a "motivation-hygiene" factor, the first half of the book will interest anyone who wants to understand work, with or without the Herzberg theory.
- Huizinga, Johan. *Homo Ludens: A Study of the Play Element in Culture*. Boston: Beacon Press, 1955. Huizinga, a Dutch historian of culture, has written the most important modern book on the way all of culture can be seen as grounded in leisure and play. Newcomers to the field may find the book slow going at times, but whoever is the least bit patient will find new reasons for taking a second look at war, religion, work, and the rest of culture.
- Larabee, Eric, and Rolf Meyersohn, eds. *Mass Leisure*. Glencoe, Ill.: Free Press, 1958. Here is a collection of expert essays on the theory and practice of leisure and play; some of the essays refer to Europe, but the accent is on America. There is a very extensive bibliography of literature on the subject through 1958.
- LeMasters, E. E. *Blue-Collar Aristocrats: Life-Style at a Working-Class Tavern*. Madison, Wis.: University of Wisconsin Press, 1975. A sociologist "went slumming" in a tavern where upper-level blue-collar workers took their leisure, and came up with a faithful picture of their attitudes, not all of which suggest that alienation and discontent are pervasive.
- Miller, Susanna. *The Psychology of Play*. Baltimore, 1968. Because the roots of play are in the worlds of animals and children, a psychological analysis of what they mean in those worlds is basic to an understanding of what goes wrong in the adult world. Play has biological function, says this evolutionary thinker.
- Mills, C. Wright. *White Collar*. New York: Oxford University Press, 1956. Mills, a sociologist who criticized American life "from the left," was a gifted observer of peoples' roles. In this classic he took apart the work of the white-collar classes and showed just how it had come about that so many people had been deprived of meaning in their work.

- Mumford, Lewis. *Technics and Civilization*. New York: Harcourt, Brace and World, 1943. Lewis Mumford, whose own model for the good society is an integrated one that seems to draw on the pattern of certain medieval monasteries, uses it to criticize technology and industrialization. This is an early work that remains in continuity with what Mumford and less gifted analysts have been saying ever since.
- Nye, Russel B. *The Unembarrassed Muse*. New York: Dial, 1970. Popular arts and culture are important in America's world of leisure and play, and Nye does a once-over-lightly of the whole field in the American past.
- Oldham, J. H. *Work in Modern Society*. Richmond, Va.: John Knox, 1961. Hardly more than a pamphlet, this elegantly traces the Christian understandings of work and how they have had to be adapted to face the modern situation.
- Rahner, Hugo. *Man at Play*. New York: Herder & Herder, 1972. This book is not always easy to find, but it is worth seeking. Rahner has written a philosophically profound little tract on the religious ideas behind play, with accent on both classical Greek and biblical sources.
- Rosenberg, Bernard, and David Manning White, eds. *Mass Culture: The Popular Arts in America*. Glencoe, Ill.: Free Press, 1957. The editors collected some of the most searching and provocative essays having to do with popular arts in the middle of the twentieth century.
- Terkel, Studs. *Working*. New York: Random House, 1974. Terkel is a Chicago radio personality who has a gift for drawing out of ordinary people some rather eloquent statements. He does not appear in his own interviews; they come as monologues. But he is to be credited for the way in which he lets people spin out the rewards and trials that they associate with every kind of task.
- Ware, Norman. *The Industrial Worker, 1840-1860*. Gloucester, Mass.: Peter Smith, 1958. Whoever wishes to have an understanding of how the industrial process began to affect the lives

of Americans will do well to consult this half-century-old depiction, originally published in 1924; it concentrates on the mills of New England.

Weber, Max. *The Protestant Mind*. New York, 1952. "The Protestant ethic" has a strange way of turning up in the world that was little influenced by Protestantism, wherever industrialism and capitalism inspire initiative and competition. But it happens that on American soil it was chiefly Protestants who brought such a framework, and Weber's seminal statement of what all was involved in this ethics is basic for any discussion of the subject of work and vocation.

## Additional Suggestions

Recommended by Philip Rieff

- Brosnan, Jim. "What We're Losing by Our Craze for Winning." *Today's Health*, May 1971 (pp. 17-19).
- Dahl, Gordon. "Emergence of a Leisure Ethic." *Christian Century*, November 1972 (pp. 1124-1126).
- De Jouvenal, Bertrand. "How to Make Work Enjoyable." *The Listener*, December 15, 1955 (p. 1031).
- Horkheimer, Max. "Art and Mass Culture." *Studies in Philosophy and Mass Culture*, 1941 (pp. 293-294).
- James, William. "The Gospel of Relaxation." *Scribner's*, 1899. Reprinted in *Pragmatism and Other Essays*. New York: Washington Square Press, 1963 (pp. 242-245).
- Marty, Martin E. "The Spirit's Holy Errand: The Search for a Spiritual Style in Secular America." *Dial*, Winter 1967 (pp. 99-112).
- Reisman, David, and Ruel Denney. "Football in America: A Study in Culture Diffusion." *American Quarterly*, 1951. Reprinted in *Individualism Reconsidered*. Glencoe, Ill.: Free Press, 1954 (pp. 242-243, 253-255).



## 14. The Morality of Business

### Learning Objectives

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#### To understand

- how doing business and being ethical can go hand in hand
- what factors in the very nature of business make it difficult to be ethical
- the historical development of the relation of business to social concerns and responsibilities
- the special problems that arise in exercising moral responsibility because of the nature of corporate organization

### Overview

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Vying in the popularity polls with television series about crime and police work are several recent series dealing with the world of big business. Some obvious parallels can be drawn between the two sorts of shows, such as the issues of honesty and the use of force and power. Apart from this, those that deal with business show an overriding concern for the acquisition and maintenance of power, personal and corporate. It is power—monetary and political, technical and marketing—that is at the heart of the moral issues raised regarding the business world. The central questions are: Whom does or should that power serve? What are the moral restraints it should observe? Who is responsible for its misuse and how should that misuse be punished? What reforms are needed, and what are the limits of possible reforms without the overthrow of the institutions themselves? This unit deals with these issues in the context of the capitalism that characterizes our society.

In his newspaper article for this unit, Martin Marty depicts what the current business situation looks like and delineates the factors involved in understanding the moral issues attached to doing business. Marty gives an insight into both sides of the issue—the attack being made on business today and the arguments in its defense. He discusses three proposals toward improving the relations between business and the larger concerns of society: Business should be viewed in a larger context of values, it should look at long-range interests, and it should develop moral leadership.

One of the most-noted and still-quoted attacks against free enterprise capitalism has come from the pen of Karl Marx. In the excerpt given here, he argues that the very

notion of capitalism is a perversion of right order. For capitalism, in its attempt to create a world in its own image, destroys all human and humane values in the pursuit of profit and material production goals.

Recent Nobel Laureate Milton Friedman presents a defense of free enterprise capitalism. He maintains that it is the best economic guarantee for freedom, both political and consumer, that has yet been devised. For one thing, it restrains the power to coerce, be it on the part of government or of corporations. Because business is free, within certain bounds, to make its own way, it can exert economic checks and balances on the government. Because the market it engages in is a competitive one, it offers a variety of choices to the consumer who can, by his purchasing power, influence what is produced. Finally, Friedman argues, because of the open competitiveness of the job market, workers can advocate radical change without (in theory at least) their means of making a living being taken away from them in reprisal.

Restraints on the power of business are not new in economic history. Nicholas Eberstadt gives a historical survey of the relationships between business and society, power and responsibility, that have existed since the times of the ancient Greeks. What becomes evident is that this sense of responsibility of business for and to the public interest is a tradition stretching from antiquity to the nineteenth century, the time of the Industrial Revolution. But with the advent of *laissez-faire* capitalism in the nineteenth century and the great economic expansion that took place in this country, the moral climate changed. The philosophy of business was that the general good was

most properly served by the pursuit of individual self-interest. That often was translated to mean "the public be damned." The new mood today, according to Eberstadt, is to a renewed sense of corporate responsibility, within the realities of the modern conditions of business. And as a call to responsibility, it is a return to tradition.

The contention of the next article by Wayne Leys is that this moral consciousness of corporate responsibility has been at work for some time now in American business. It is evident in the fact that business executives do more thinking about values now. No matter that there might be external pressures that force this. The important thing is that the trend is there and shows growing indications that it is founded in a moral consciousness.

For Ralph Nader this trend toward moral awareness is too feeble and too ineffective. The consumer is still getting shabby treatment from business, both in product value and safety. The consumer movement is making the ethical point that business practices are a crime against the public good and as such a menace to law and order in America. This is all the more true because business uses the ideology of free competition, which is supposed to protect the consumer, in order to actually defraud him.

To bring about reforms and transformations of institutions, as opposed to revolutions, involves understanding the nature of the institution or organization involved. Gus Tyler analyzes the nature of the modern corporation with the intent of showing what is and is not possible, given its essential structure and the goals it necessarily pursues. Corporations operate and survive on the profit motive. That is the first reality that limits them. The second is that their prime responsibility is to their shareholders whose money they hold in trust. These shareholders constitute a corporation's constituency. This means that a corporation interacts with society as a faction among other factions, all seeking a mode of living and functioning that is beneficial to the interests of each

and all. A very special problem arises because corporations are enmeshed with other economic institutions, each with its own constituency. As a result, it is extremely difficult, if not impossible, to point to a locus of social conscience. Tyler is not arguing that there should not be one. His point is that the difficulties involved must be considered.

The problem of affixing responsibility becomes even more difficult when we consider the international aspects of business. The recent bribery scandals involving big business abroad as well as documentation of our government's interference in the politics of foreign countries on behalf of American businesses have highlighted the role of multinational corporations in the world economy. The impression may have been given that the multinationals are a phenomenon different in kind from our big national corporations and therefore subject to different standards. Robert Heilbroner argues that this is not the case. He sees them as extensions beyond national boundaries of national companies, motivated by the same impulses of power and competitive struggle and helped by the same agencies and resources of government. Further, the presence of these companies in foreign lands exerts no more a pernicious influence upon a foreign economy and politics than investment alone did in earlier times. While admitting that the existence of the multinationals poses some new problems, Heilbroner argues that they still remain traditional expressions of capitalism.

The concluding article by William Carley emphasizes a major novelty about multinational corporations: The recent foreign bribery scandals have revealed that, for all practical reasons, the guilty parties remain immune from prosecution. The fact that legal controls on an international basis are unlikely makes it likely that the way of doing business that marked these scandals will continue. The realities of business, its spokesmen claim, demand it.

## Key Concepts

**Capitalism:** An economic system based on the legal private ownership of the means of production, for example, factories, land, and capital, and on the determination of the distribution of resources and wealth through a competitive market system based on the laws of supply and demand. American capitalism is a *controlled* capitalism in which the federal government has created regulatory agencies to oversee the activities of the free enterprise system. The government also intervenes in the economy through taxation, subsidies, and the actual operation of

some enterprises such as schools, creating a *mixed economy* rather than the pure free enterprise system outlined by Friedman.

**Socialism:** An economic system in which the means of production are owned and controlled by the government or other public bodies. The laws of supply and demand are rejected in favor of a planned economy. Also, an equitable distribution of goods among all members of society is a primary goal.

**Laissez-faire:** Literally, "leave-alone"; thus, a philosophy that advocates minimal government regulation of the economy. Herbert Spencer, the founder of *social Darwinism* and William Graham Sumner were among its leading advocates. Social Darwinism is the doctrine that holds that the principles behind the free market operation are similar to those of evolution—individual and group economic competition preserve the strong and eliminate the weak.

**Corporation:** A business entity, generally composed of shareholders of stock who are the presumed source of policy and authority and whose votes in matters regarding company operation and policy are weighted according to how many shares of stock they hold. In most corpora-

tions, the actual voting is done by giving one's proxy to the directors or to a few other active members.

**Consumer-interest group:** A nonprofit public interest organization that has as its purpose the fostering and protection of legitimate consumer rights and interests.

**Corporate responsibility:** The notion that the corporation, along with its obligations to its shareholders, also has obligations to the society at large, which include promoting the common good by positive contributions to human welfare as well as abstaining from those acts deemed detrimental to society, for example, irresponsible pollution, price fixing, production of shoddy or unsafe merchandise, and so on.

## Factual Review Questions

1. What are some of the reasons Marty gives for the whole business system being under attack today?
2. What three proposals for reform does Marty discuss?
3. What does Marx mean by saying that capitalism creates a world after its own image?
4. For what reasons does Friedman maintain that free enterprise capitalism is a defense of freedom?
5. What two conditions does Friedman hold necessary to safeguard voluntary cooperation in a free, private exchange economy?
6. Why does Eberstadt maintain that the present free enterprise system is the exception, not the rule of Western political economy?
7. What change did nineteenth-century *laissez-faire* philosophy bring?
8. On what grounds does Leys maintain that modern business executives do more thinking about values than their counterparts of an earlier era?
9. What is Nader's main contention about and accusation against American business?
10. Why does Nader see the consumer movement as motivated by ethical rather than ideological demands?
11. What two major restraints does Tyler discuss in connection with the limitations of corporations?
12. What is the impact of the fact that today ownership of corporations has become more impersonal?
13. What is the main point that Heilbroner makes about multinational corporations?
14. What are some of the new problems these multinational corporations have introduced?
15. What major new development in multinational corporations does Carley detect?

## Essay and Discussion Questions

1. Discuss the contention that dishonesty is built into the business system because this is the nature of free enterprise capitalism. Do you agree or disagree? Give your reasons.

### Suggested Guidelines

- Review the articles by Marty, Marx, Nader, and Tyler.
- Consider the points about freedom made by Friedman.

--Reflect on what sort of ethical means you yourself would (or do) follow if you were (or are) in business.  
--Consider the goals of business and whether they are compatible with your standards of honesty.

2. What has been your reaction to and evaluation of the recent foreign bribery scandals? Discuss the moral principles you think should be involved in dealing with foreign countries in business deals.

### Suggested Guidelines

- Review the factors limiting corporate responsibility as Tyler discusses them.
- Consider the analyses given by Heilbroner and Carle on the nature and problems of the multinational corporations.
- Reflect on what effective steps, if any, you think are feasible in dealing with the problem of payoffs.

### 3. Do you think enough is being done by both business and government to protect the consumer? What reforms or laws, if any, would you like to see enacted?

#### Suggested Guidelines

- Examine Nader's arguments against the way big business is conducted.
- Evaluate Tyler's discussion of the limitations on corporate responsibility.
- Do you think you can influence policy in any way to change the situation? How and/or why?

### Suggested Reading

by Martin E. Marty

#### Books

- Bell, Daniel. *The Cultural Contradictions of Capitalism*. New York: 1976. Bell sees a contradiction between a grim and purposive (almost Protestant) business ethic and a hedonist and reckless leisure style; in the process he sets forth some rather profound observations on the need for better grounding than we now have for attitudes toward business, work, and leisure.
- Calian, Carnegie Samuel. *The Gospel According to the Wall Street Journal*. Richmond, Virginia, 1975. A sketchy and short book on the attitudes reflected in the prominent business newspaper; Calian's is a Christian critique.
- Carter, Paul A. *The Spiritual Crisis of the Gilded Age*. DeKalb, Ill.: Northern Illinois University Press, 1971. The United States took a basic turn toward industrialization and big business in the late nineteenth century. Along with it came numerous religious traumas. Carter sets these into context.
- Cawelti, John G. *Apostles of the Self-Made Man*. Chicago: University of Chicago Press, 1965. Success has been a main goal and motive in the business world, and Cawelti, as at home with literature as with history, traces how it almost became a religion at certain stages of the American past.
- Cheit, F., ed. *The Business Establishment*. New York: Wiley, 1964. Essays on public relations, advertising, marketing, and the assumption of the business world's leaders.
- De Grazia, Sebastian. *The Political Community: A Study of Anomie*. Chicago: University of Chicago Press, 1948. In the present context, the author's understandings of how people are confused by the commands to compete and to cooperate, to be active and to have leisure, are most appropriate. Anomie refers to the normlessness and apathy of people confused by such directives.
- Demant, V. A. *Religion and the Decline of Capitalism*. London, 1952. At a decisive turn in British history, as the nation was moving toward a welfare state, a British thinker took a look at the part religion had played in both the rise and transformation or decline of capitalism: the treatise has value for America as it seems to be shifting more and more to a planned economy.
- Divita, S. F., ed. *Advertising and the Public Interest*. Chicago: University of Chicago Press, 1974. Some of the moral and ethical issues in advertising are subjects of essays in this anthology.

- Friedman, Milton. *Capitalism and Freedom*. Chicago: University of Chicago Press, 1962. Friedman is called a "classical economist" who believes completely in a free economy and a free market; he is an enemy of most kinds of regulation and restraint. His is a logical and rigorous statement of this position: whoever buys into his first premise is likely to find his whole argument to be convincing.
- Galbraith, John Kenneth. *The Affluent Society*. Boston: Houghton Mifflin, 1969. Economist Galbraith successfully stamped on the American mind a phrase that referred to an economy of abundance, not of want; he also posed many issues that grow out of such a concept and reality.
- Garrett, Thomas M. and S. J. *Ethics in Business*. New York: Appleton-Century-Crofts, 1963. A Catholic statement of the systematic issues involved with business; it presupposes no technical familiarity with Catholic thought and does not push too hard for one religious system at the expense of appreciation of others.
- Hayek, Friedrich A. *The Road to Serfdom*. Chicago: University of Chicago Press, 1965. "Hands Off!" is Hayek's slogan to anyone who would tamper with or control the economy. He is rather strident and allows for so little compromise that he is not always taken seriously except by people who almost belong to the cult of "free enterprise." But under the rhetorical overstatement there is a consistent and very important warning that has spoken to people of different economic outlooks as well.
- Heilbroner, Robert L. *Business Civilization in Decline*. New York, 1976. The noted economic historian envisions the development of a planned economy after the capitalist business version, and then explores moral and philosophical issues that will accompany the shift.
- \_\_\_\_\_. *The Worldly Philosophers*. 4th ed. New York: Simon & Schuster, 1972. Heilbroner will help any reader who would like to understand the development of economic theory; his are succinct, cogent, and fair portrayals of the prime figures in the history of economic thought.
- Hofstadter, Richard. *Social Darwinism in American Thought*. Rev. ed. New York: Braziller, 1959. Social Darwinism was the fancy name some people gave to the ethical system that

developed out of one reading of Charles Darwin and his evolutionary theories. It was a "survival-of-the-fittest" kind of ideology, one that was widely used and even more widely misused in the competitive economic pattern of early industrial America.

Potter, David M. *People of Plenty*. Chicago: University of Chicago Press, 1954. The business factor and the economic element in American life is the subject of this history: Potter appreciates and celebrates the economic order that so many other scholars have criticized. Because there was always more possibility of invention and investment, Americans have remained a prosperous and largely healthy people.

Schumpeter, Joseph A. *Capitalism, Socialism, and Democracy*. 3rd ed. New York: Harper & Row, 1950. This is not a primer for newcomers, but those who take pains to prepare themselves and who then stay with it will find here one of the better expressions of the way capitalism has developed through history and how it is being transformed in the twentieth century.

Spurner, William A. *Ethics and Business*. New York, 1962. This is a very simple Protestant exploration of moral themes and ethical systems in business, in the form of informal letters written by an ethicist to a businessman. Not very systematic, but it will familiarize people with some Christian themes.

Tawney, Richard Henry. *Religion and the Rise of Capitalism: A Historical Study*. New York, 1926. This book has had an influence second only to Weber's as a theoretical treatise about how Protestantism in particular helped shape capitalism and the business ethos, but Tawney's is more fleshed out historically than was Weber's.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

Andrews, Kenneth. "Can the Best Corporations Be Made Moral?" *Harvard Business Review*, May/June 1973 (p. 64).

Chandler, Alfred D., Jr. "The Role of Business in the United States: A Historical Survey." *Diallus*, Winter 1969 (pp. 23-40).

"The Dilemma of Corporate Responsibility and Maximum Profits: An Interview with David Rockefeller." *Business and Society Review*, Spring 1974 (pp. 5-7).

Drucker, Peter F. "The Concept of the Corporation." *Business and Society Review*, Autumn 1972 (pp. 12, 15-17).

Malkiel, Burton G., and Richard E. Quaint. "Moral Issues in Investment Policy." *Harvard Business Review*, March/April 1971 (pp. 37-39).

Veblen, Thorstein. "Christian Morals and the Competitive System." *International Journal of Ethics*, January 1910 (pp. 181-185).

Weber, Max. "The Protestant Sects and the Spirit of Capitalism." In *From Max Weber*, edited and translated by H. H. Gerth and C. W. Mills. New York: Oxford University Press, 1946 (pp. 302-309).

Whitaker, John H. "The Supremacy of the Business Ethic." *Business and Society Review*, Summer 1974 (pp. 93-94).

### Books

Heermance, Edgar L. *The Ethics of Business*. New York: Harper & Row, 1926 (pp. 210-218). Heermance argues that Christianity can do much to raise the standards of business ethics.

## 15. Racism

### Learning Objectives

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#### To understand

- the relation of racism to the moral health and vitality of a society
- the meaning and effects of race prejudice
- the meaning of equality of recognition and opportunity
- the difficulty of achieving this equality

### Overview

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In 1955 a young black preacher, Martin Luther King Jr., led a group of blacks in a boycott of the Montgomery, Alabama city buses to protest racial segregation. This action marked the effective beginning of what was to become a concerted effort to bring about fundamental changes in the American social system.

Though it was not until 1963 that national attention became focused on racial discrimination because of the police violence against peaceful demonstrators in Birmingham, Alabama, the momentum had been built up that galvanized this attention into action. It resulted in the far-reaching Kennedy bill that became the 1964 Civil Rights Act. Its objective was equality before the law by expressly forbidding discrimination on the basis of race, color, religion, national origins, and, in employment, sex. Title II of the bill outlawed discrimination in public accommodations. Titles III and IV called for desegregation of public facilities and schools. In 1965 President Johnson's Voting Rights Act was passed, and Congress enacted the War on Poverty and extensive new educational programs to improve the schools.

What is the situation now, a dozen years later? The legal and physical battles over school busing are still with us. When President Carter was in the process of choosing his cabinet, black leaders were still voicing complaints that the black population was not being adequately represented. The flight to the suburbs and the decay of the inner cities, heavily populated by blacks, still go on. Black unemployment is much higher than that among other groups; black prisoners make up a disproportionate share of the prison population.

What has happened to the promise and the progress of reform? Why is it difficult to make the laws really work? What are some of the deeper reasons behind the racial divisions in American society? In what ways might the black community take the moral leadership for achieving

*de facto* equality? It is fundamental questions such as these with which this unit is concerned. That they are moral issues is clear; they deal with human dignity, freedom, and equality. To the extent that they involve an evaluation of some basic American cultural orientations, they become moral issues of supreme importance for the progress and survival of our culture.

Swedish economist Gunnar Myrdal coined the expression "the American dilemma" to describe the nonfreedom of a racial group in a society built on the premise of freedom. The newspaper article and first Reader selection by Kenneth B. Clark speak of this dilemma in terms of a deeper one prevalent in American society as a whole, namely, that moral ambivalence that professes devotion to the ideals of freedom, equality, honesty, and high-minded values as worthy goals in theory, but ignores their implementation and application in practice.

What makes this a deep and persistent cultural dilemma is that, in Clark's words, "it is inextricably entangled with status striving, success symbols, moral and ethical pretensions, and the anxieties and fear of personal and family failures." It perpetuates itself because our children learn early in life that moral consistency has its limits and those limits are defined in terms of the reality principle. That is to say, honesty may be the best moral policy, but that does not make it the best personal, group, or national survival policy. Americans show their devotion to this realism by the way they look for tough-minded leaders, guided by the so-called realities in their decisions rather than by high-minded ideals.

Is there hope for society? Clark sees a hope in that minority that insists on following principles, on being "unrealistic." They are the people of passionate concern who keep ideals alive and hold out hope for their eventual realization. And for Clark, adherence to moral ideals is the last best hope for human survival.



Along with this moral ambivalence, race prejudice itself is at work contributing to the American dilemma. E. Franklin Frazier examines the meaning and manifestations of preconceived racial attitudes, not founded on knowledge or experience, that make it difficult for a member of one race or religion to relate to individuals who are different from them. For the most part, such prejudice is absorbed from the environment in which one grows up. It is directed, as Frazier points out, not against an individual with certain observable characteristics, but against the individual as a member of a race. We are all familiar with the expression "Some of my friends are \_\_\_\_\_" (fill in blank). And it often comes from very prejudiced individuals.

In a piece similar to the one by Bert Kruger Smith in the unit on aging, novelist Ralph Ellison describes what it is like to be an "invisible man," one whom others--whites--don't see as an "I." Rather what they see as they look at him are their own attitudes. And really, someone you don't see as a person is not treated like one.

What can be done about these forms of "irrationality" and moral blindness? Leonard Bloom points to one thing that has worked and can be further implemented--integration. Citing studies drawn from the experience of the military in World War II and from integrated housing projects, he concludes that contact between members of the races on the basis of equal status and participation in activities concerning mutual interests tend to reduce race prejudice. This sort of contact involves a real knowing of the other, not a superficial token mutual presence. It is interesting to note that for the Greek philosopher Aristotle, knowledge meant a touching of reality, a making of contact and expressing that contact in words. Bloom

points to the high cost to society--both in financial and moral terms--of not making such contact.

The essay by Jesse Jackson that follows helps us avoid the impression that the moral problem of racism is exclusively a one-sided white one. His thesis is that black Americans themselves must begin to accept a larger share of the responsibility for their own lives. He points out practical measures that can be taken to dispel the welfare mentality, the political apathy, the decadence in the ghetto from which blacks suffer. Above all, he appeals to the moral authority of the church and community to become once again operative as it was in the civil rights movement.

Frazier spoke of race prejudice as an "attitude with an emotional basis" and observed that it is not directed at individuals with certain visible characteristics, but at stereotypes. In the next article, Robert Coles shows just how much this prejudice is an attitude of mind, both for black and white children, and how that attitude of mind is encouraged by accepted patterns of behavior and expectations in both races.

The concluding selection by Martin Kilson discusses some of the hopeful signs of the times that indicate that minds are beginning to change: a new openness to racial integration that has made interracial marriage more acceptable; black culture as expressed in music, dance, theater, and even the culinary arts; television shows for black stars and casts. Certainly, Kilson notes, the moral ambivalence is still there, still evident, and to resolve it will not be an easy task by any means. Fears have to be allayed; policies have to be developed that will make the Rev. Martin Luther King's "dream" a realized goal in every segment of society.

## Key Concepts

**Race:** Biologically speaking, a genetically distinct division of a species that has, through generations of inbreeding, developed certain physical characteristics that are passed on genetically. As a sociological concept, the term refers to any group whom others believe are genetically different and whom they treat accordingly.

**Racism:** A term that embraces both *prejudice* and *discrimination*, both of which are expressions of the sociological concept of race. Prejudice is an attitude involving an irrational like or dislike of a group of people because of race, color, religion, ethnic origin, sex, and so forth. The attitude is irrational because it is not founded on knowledge and experience, but is a prejudged position or stand on these matters. Racism involves a dislike of a race and ex-

presses itself in discrimination, which is an act that denies privileges or status or acceptance on the grounds of irrational dislikes.

**Minority:** As defined by Louis Wirth, it is "a group of people who, because of their physical or cultural characteristics, are singled out from the others in the society in which they live for differential and unequal treatment, and who therefore regard themselves as objects of collective discrimination. . . . Minority status carries with it the exclusion from full participation in the life of the society."

**Ethnic group:** A group of people who, on the basis of race, culture, national origin, or religion, consider themselves as distinct from other groups in the larger society.



## Factual Review Questions

1. What does Clark mean by "moral schizophrenia"?
2. What does Clark mean by "Machiavellian dualism"?
3. Why, in the Reader selection, does Clark maintain that the problem of American society is that it has been too successful?
4. Where does Clark find hope for the future?
5. How does Frazier define "race prejudice"?
6. Why are reasons for prejudice called "rationalizations"?
7. What does Ellison mean when he calls himself an "invisible man"?
8. What are some of the social and moral costs of racism, according to Bloom?
9. Under what circumstances, in Bloom's analysis, can racial contact tend to change attitudes?
10. What is Jackson's central argument?
11. What black failures and weaknesses does Jackson mention?
12. What role does Jackson see for the black church in the struggle for equality?
13. What does Coles' article reveal about the nature of prejudice?
14. According to Kilson what are some of the hopeful signs that a change in attitudes is taking place?
15. What does Kilson say the neoconservative position is?

## Essay and Discussion Questions

**1. Write an essay on why you do or do not consider yourself a racist.**

### Suggested Guidelines

- Review the articles by Clark, Frazier, and Ellison.
- Give your own definition of racism.
- Examine your beliefs about equality and your own attitudes on how society should go about achieving it.
- On the basis of your own "examination of conscience," give a justification of the position you take with regard to the original essay question.

**2. Granting that past injustices have been done to blacks and other minorities in American society, discuss whether or not these minorities should be given preferential treatment in job and educational opportunities.**

### Suggested Guidelines

- Review the selections by Bloom, Jackson, and Kilson. Pay attention to Jackson's list of black weaknesses and failures and to the neoconservative position described by Kilson.

—If you are not in a minority, consider how you would feel if you were.

—If you are in a minority, consider how you would feel if you were a member of the majority.

—Reflect on whether there are or are not any other noble means to achieving the goals of equality.

**3. Write an essay on your position regarding the issue of forced busing to achieve racial desegregation. Give a defense of that position.**

### Suggested Guidelines

- Review Bloom's article and pay attention to the importance attached to equal-status contact.
- In giving the reasons for your position, reflect on whether these reasons contain racist elements, if you are against busing, or, if you favor it, whether your reasons are founded in fact.
- Consider whether there are alternatives to achieving the same solution as that sought through busing.

## Suggested Reading

- Alpert, Gordon W. *The Nature of Prejudice*. Cambridge, Mass.: Harvard University Press, 1954. A sociological account of the origins of prejudice and the meaning of race.
- Carlson, Lewis H., and George A. Colburn, eds. *In Two Faces: White America Defines Her Minorities, 1550-1950*. New York: Wiley, 1972. A book of readings that presents a historical

perspective on white racism, tracing white American attitudes toward various minority groups, including native Americans, Afro-Americans, Chicanos, Orientals, and Jews.

Clark, Kenneth B. *Dark Ghetto*. New York: Harper & Row, 1965. A study of the inner city and its poverty, and possible solutions to the problem.

- \_\_\_\_\_. *Pathos of Power*. New York: Harper & Row, 1974. An adaptation of papers prepared over the past twenty-five years on social justice, social morality, and social responsibility. Clark condemns the misuse of power and urges social scientists to take the lead in guiding our society toward the morality that is essential for the survival of the human species.
- \_\_\_\_\_. *Prejudice and Your Child*. Boston: Beacon Press, 1955. A study of how children learn about race and the effects of racial prejudice on society and on the personality development of both white and black children. This volume, written the year after the Supreme Court declared school segregation unconstitutional, includes a program for action.
- DuBois, W.E.B. *The Souls of Black Folk*. Chicago: A.C. McClurg & Co., 1903. A collection of essays in which the noted black leader urged a departure from the accommodationist policies of Booker T. Washington.
- Franklin, John Hope. *From Slavery to Freedom: A History of Negro Americans*. 4th ed. New York: Knopf, 1974. Now in its fourth edition, this book surveys the experience of blacks in America from their African origins and institutions to the present.
- Frederickson, George M. *The Black Image in the White Mind*. New York, 1971. An historical account of nineteenth-century racist thought in America.
- Jordan, Winthrop. *The White Man's Burden: Historical Origins of Racism in the United States*. New York: Oxford University Press, 1974. A study of the origins of racial prejudice from the sixteenth to early nineteenth centuries, with emphasis on psychological forces. This volume is an abridgement of his larger study, *White over Black*.
- Malcolm X. *The Autobiography of Malcolm X*, edited by Alex Haley. New York: Grove Press, 1964. A personal account of the black nationalist movement in mid-twentieth century America by one of its leaders.
- Myrdal, Gunnar. *An American Dilemma*. Rev. ed. New York: Harper & Row, 1962. A classic monumental study of the status of blacks in the twentieth century, emphasizing the contradiction between American democratic ideals and the actual treatment of black Americans.
- Osofsky, Gilbert. *The Burden of Race: A Documentary History of Negro-White Relations in America*. New York: Harper & Row, 1967. An excellent collection documenting the roots of our racial crisis, illustrating the attitudes of both white and black Americans.
- Parsons, Talcott, and Kenneth B. Clark, eds. *The Negro American*. Boston: Beacon Press, 1966. Based on a conference sponsored by the American Academy of Arts and Sciences, the papers in this volume constitute a comprehensive survey of the problems and status of black Americans today by authors from a variety of disciplines.
- Pettigrew, Thomas F. *A Profile of the Negro-American*. Princeton, N.J.: Princeton University Press, 1964. A sociological study of black Americans and the impact of racism.
- Woodward, C. Vann. *The Strange Career of Jim Crow*. 3rd rev. ed. New York: Oxford University Press, 1974. A classic account of the development of segregation from 1877 to the present.

## Additional Suggestions

Recommended by Philip Rieff

### Articles

- Bennett, Lerone, Jr. "What's in a Name?" *Ebony*, November 23, 1967 (pp. 46-54). Reprinted in Peter I. Rose, ed. *Old Memories, New Moods*. New York: Atherton Press, 1970 (pp. 375-380, 383).
- Blakeslee, Sandra. "Study Rebuffs a View of Minority Learning." *New York Times*, October 13, 1975 (p. 48).
- DuBois, W.E.B. "Race Friction Between Black and White." *American Journal of Sociology*, May 1908. Reprinted in Meyer Weinberg, ed. *W.E.B. DuBois: A Reader*. New York: Harper & Row, 1970 (pp. 295-297).
- Patterson, Orlando. "The Moral Crisis of the Black American." *The Public Interest*, Summer 1973 (pp. 64-65, 69).
- \_\_\_\_\_. "Toward a Future That Has No Past—Reflections on the Fate of Blacks in the Americas." *The Public Interest*, Spring 1972 (pp. 59-61).
- Rieff, Philip. "Introduction." In Kelly Miller. *Radicals and Conservatives*. New York: Schocken Books, 1968 (pp. 10-22).

### Books

- Grier, William H., and Price M. Cobb. *Black Rage*. New York: Basic Books, 1970. Two psychiatrists indicate the effect of racism on the music and language of black culture.
- Moynihan, Daniel P. *The Negro Family: The Case for National Action*. Washington, D.C.: Office of Policy Planning and Research, U.S. Department of Labor, 1965. Reprinted in Peter I. Rose, ed. *Slavery and Its Aftermath*. Chicago: Atherton Press, 1970 (pp. 362-363). The author discusses the travails of the black family as a continuing reminder of the past.

## 16. Moral Education

### Learning Objectives

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#### To understand

- the scope or limits of formal education in transmitting, inculcating, and clarifying moral values
- the role of the teacher as moral educator
- the growth of moral consciousness and the means to promote it
- some current trends in moral education

### Overview

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This final unit on moral education serves as an apt conclusion to the preceding ones and a complement to the discussion on the nature of morality with which this course began. Among other things discussed at the beginning, the significance of culture as the nurturing matrix of values, ideals, and goals, necessary and vital to its survival, was emphasized. It was pointed out that a society's morality expresses the standards for acceptable and fitting behavior within a culture. It also embodies the meaning of a group's communal experience. What has meaning is judged in terms of how well ways of thinking, believing, judging, and acting enable a society to cope with the ongoing process of living and change. The morality a culture embraces must be both stable enough and flexible enough to adequately respond to the challenges of a particular time and to leave room for genuine novelty.

In societies that are relatively small in size and simple in technology, all that is needed for individual and group survival can be passed on to successive generations by an informal educational process. The young learn by observing the adults, absorbing the group's history and mores, and taking part in its rituals and its work.

But this sort of process seems inadequate in a technologically advanced society such as ours. We are forced to rely on formal education, schools, and developed curricula to achieve this process of socialization. This is the process of acquiring those skills that enable an individual to function effectively as a member of society in the active pursuit of self-realization.

As Shirley Letwin pointed out in Unit 8, to be in society is to make a moral commitment because it involves sharing certain ideas about what is suitable, just, right, proper, seemly, decent. The process of socialization is meant to foster this civility. Formal education as the primary means of implementing this process in our society is, consequently, a moral task, concerned with the development of moral consciousness. But what, specifically, should this task include? How should the schools go about it? What problems and dangers does it involve, and how can they be handled or avoided? These are the questions that this unit undertakes to discuss.

The newspaper article by Philip Rieff raises the issue of what a modern education for morality should do, given the structure of modern society. There is, of course, the question of what role the family still must play. Though there is disagreement here, there is accord in the idea that the direction that the moral conduct of an individual is likely to take is set quite early in life. The firmness and inevitability of this set of directions are a matter of dispute. The current theories stress that morality develops and evolves in different stages. Education helps foster the behavior appropriate to each stage. Rieff discusses the several problems attendant upon implementing this task.

Fostering moral consciousness in the educational setting is as much an art as it is a matter of educational science. Max Weber discusses this art in the setting of university teaching. In observing the inner morality of his own specialty, the teacher exhibits fidelity to the demand of

accepted standards. In research, Weber states, he must examine all facts, even those that count against his theory. By this fidelity to the inner morality of his academic discipline, he can promote a moral consciousness in the student.

The selection by Emile Durkheim that follows covers a broader spectrum of issues in moral education. Durkheim's concern is with both the mechanics and techniques of the process and the more philosophic questions of the meaning of moral authority, discipline, and moral knowledge. To summarize succinctly the points that Durkheim makes in his analysis, it might be of help to recall some fundamental meanings of these words, their etymology or language roots. The word *authority* has as one of its fundamental meanings a producing or fostering and promoting of something, a giving increase to something. Moral authority, in Durkheim's sense, is the promoting or fostering of moral consciousness. It springs from the educator's belief in his task and its great significance. It is, in a word, a consciousness of vocation or a challenge to higher goals.

*Discipline* is ordered learning or learning that is both directed and has a direction or goal. Moral discipline is ordered toward the attainment of self-mastery. And it is in exercising it that individuals further develop it. Moral authority fosters moral discipline, which, in time, is strengthened by moral action. But this discipline itself, if it is to result in truly moral behavior, that is, from internalized norms accepted with the autonomy of free will, is based on knowledge. Again, in the classical sense, to know means to know the reasons for, to understand something in terms of its causes. It is, then, by explanation, questioning, and critical analysis of moral principles that moral knowledge is internalized and effectively actualized.

These points made by Durkheim are approached from the perspective of the developmental theory of morality. Jean Piaget is one of its leading exponents. But Piaget's language is different. His concern with the biological basis of human conceptual development is evident. The two stages he discusses are the constraint stage and the cooperation stage. They correspond to the conceptual development of the child. Constraint is necessary when the child has not yet attained consciousness of others and their rights and demands. There follows, according to Piaget, a transitional stage in which authority is accepted because its source is the authority figures of parents. The cooperation stage, in which the child is treated as a person with rights to question, to understand reasons for following rules, and to express self-will, is the stage at which autonomy is possible. Autonomy means the voluntary internalization of society's moral standards on the basis of

understanding their meaning. It does not mean moral individualism or anarchy, nor is it the compulsion of pure duty.

This same autonomy is discussed in terms of moral character. In Greco-Christian terms, character is a distinctive stamp or impression imprinted on personality, giving it its peculiar bent and modes of expression. For Martin Buber, the task of the educator is to help mold this impression. The teacher is one among many influences but an extremely important one because he goes about the task as a vocation, thus with consciousness and will. Conscious of his mission, he does not make the mistake of giving instruction in ethics, but rather illustrates what ethical living is through the communication of his own moral consciousness in action.

The social contexts of moral learning and action would seem to need no further emphasis, given the themes already discussed in the preceding units. But there are, and probably always will be, questions raised about the ultimate foundations of what constitutes moral action, the derivation and meaning of "ought." For American philosopher John Dewey, these questions arise because of misdirected philosophic effort. As Dewey expressed his own philosophic conviction in another context, "It is in the concrete thing *as experienced* that all the grounds and clues to its own intellectual or logical rectification are contained. If you wish to find out what . . . any philosophic term means, go to experience and see what the thing is experienced as." For Dewey, morality is experienced in the interactions of the individual with the social environment. He argues that all questions of morals are "connected with the actualities of existence, not with ideals, ends and obligations independent of concrete realities." Education enables the individual to observe and understand these realities properly and to foster the spirit of scientific inquiry into them.

The concluding article by Amitai Etzioni reviews some of the current methods of teaching morality. But in line with Dewey's analysis of moral experience, he points out that no matter what academic curriculum is in vogue, it will be ineffective as far as actual results are concerned as long as students are subject to the "hidden curriculum" that regulates their school experience. The hidden curriculum, Etzioni claims, revolves around grades, athletics, and student behavior. They all revolve around conformity for the sake of success and acceptance. The ethic that students do absorb can be summed up in the phrase "winning is everything." Learning integrity—being a moral whole—is impossible in a social situation in which moral schizophrenia is the norm.

## Key Concepts

**Socialization:** The process of acquiring those physical, mental, moral, and social skills that enable an individual to function effectively as a member of society in the active pursuit of self-realization.

**Education:** A process through which the skills, values, and knowledge emphasized by a culture are imparted by informal or formal lessons.

**Cognitive development:** This term is used in reference to Piaget's theory that learning to talk, think, and reason are social as well as psychological phenomena. They are among the basic processes involved in socialization.

Piaget's theory holds that there are real differences in the way children think at different stages of their development. These stages result from the interaction between the child and the world. On the basis of this experience feedback, the child's cognitive organization undergoes restructuring.

**Hidden curriculum:** Those skills that the student must learn to survive academically and socially in the school environment. They include conformity, pleasing teachers but staying on good terms with peers, vying for praise and grades, gaining power and prestige.

## Factual Review Questions

1. What are the two theories of moral development discussed by Riett?
2. Where does Riett think the great problem of modern moral education lies?
3. What does Weber mean by saying that the teacher stands in the service of moral forces?
4. What does Durkheim mean by moral authority?
5. Why does Durkheim consider a sense of finitude necessary for moral consciousness?
6. What danger must the teacher guard against, according to Durkheim?
7. What two stages of development does Piaget distinguish?
8. What does Piaget mean by autonomy?
9. What does Piaget claim is necessary for the development of autonomy?
10. What, in Buber's analysis, is the distinction between personality and character?
11. What does Buber mean by the claim that the great character is beyond the acceptance of norms?
12. Why does Dewey maintain that liability is the beginning of responsibility?
13. What does Dewey hold responsible if moral standards are low?
14. What are the new approaches to moral education mentioned by Etzioni?
15. What does Etzioni mean by the expression "hidden curriculum"?

## Essay and Discussion Questions

1. What are or would be your priorities as a parent if you were asked the question "Why do you want your children to get an education?" List at least four reasons in order of their importance to you, and give some reasons for your choice of priorities.

### Suggested Guidelines

- Review Etzioni's article and evaluate his criticism of the hidden curriculum and your own attitudes to the goals it stresses.
- Consider the importance John Dewey attached to the school as a social setting. What is implied as to its primary

objectives?

- Review Buber's article on the purpose of education.
- Reflect on the reasons why you are going, went, or would go to school.

2. In today's complex society, whom do you think should have the major responsibility for the moral education of the child, the family or the school? Discuss the reasons for the role each should play and why you attribute a major role to one or the other.

### Suggested Guidelines

- Read the issues as outlined by Riett

- Review the theories of moral development by Durkheim and Piaget.
- Consider the actualities of the school situation as discussed by Etzioni.
- Review the selections by Lasch and Novak in the unit on the family.
- Reflect on your own capabilities to undertake the task and, from your experience, the competence of teachers to do it.

**3. Write an essay on what you consider the biggest defect in American elementary and secondary education, with special emphasis on moral education. Discuss**

**what you think the schools need to pay more attention to, and give your own suggestions of how these defects and lacks could be corrected.**

#### **Suggested Guidelines**

- Reflect on your own educational experience. What do you think it lacked or lacks?
- Consider the priorities you were asked to list in the first question. Which of these is most neglected?
- What would you take out of the curriculum?
- Consider how you would go about developing moral consciousness in students.

### **Suggested Reading**

by Philip Rieff

#### **Articles**

- Kohlberg, Lawrence. "The Claim to Moral Adequacy of a Highest Stage of Moral Judgment." *Journal of Philosophy* October 25, 1973 (pp. 630-633, 641-646).
- Lidz, Theodore. "The Broken Balance: Symbolic Functioning and the Crisis in Western Civilization." *Humanitas* May 1972 (pp. 146, 152).
- Trow, Martin. "Higher Education and Moral Development." *AACUP Bulletin* Spring 1976 (p. 25).

#### **Books**

- Brophy, Brigid. *Black Ship to Hell*. New York: Harcourt, Brace & World, 1962 (pp. 155-171, passim). A reflection of the new morality from a psychoanalytic viewpoint.
- Fletcher, Joseph. *Moral Responsibility: Situation Ethics at Work*. Philadelphia: Westminster Press, 1974 (pp. 13, 29-32). A statement by one of the leading spokesmen of situation ethics that no moral principles are absolute but depend for their validity upon the situation.
- Lynd, Helen Merrill. *The Search for Identity*. New York: Harcourt Brace & World, 1958; New York: Science Editions, 1961 (pp. 250-258). "The author argues that the acceptance of shame 'makes possible the discovery of an integrity that is peculiarly one's own.'"
- Montagu, Ashley. *On Being Human*. New York: Hawthorn Books, 1960. The author draws on scientific data to show that man is basically cooperative, and he assesses the implications of this for moral education.